

REGISTRATION OF DEEDS AND ASSURANCES IN
IRELAND COMMISSION.

SECOND REPORT

OF

HER MAJESTY'S COMMISSIONERS

APPOINTED TO INQUIRE INTO

THE LAW RELATING TO THE REGISTRATION OF DEEDS AND
ASSURANCES IN IRELAND,

WITH

APPENDIX.

Presented to both Houses of Parliament by Command of Her Majesty.



DUBLIN :

PRINTED BY ALEX. THOM & CO., 87, 88, & 89, ABBEY-STREET,
THE QUEEN'S PRINTING OFFICE.
FOR HER MAJESTY'S STATIONERY OFFICE.

1881.

[C.—2818.] Price 1s. 9d.

TABLE OF CONTENTS.

Commissions,	Page v-vi
Meetings of Commissioners,	vii

REPORT.

Organization of Registry of Deeds Office—Printing—Forms of Books—Numerical Registration,	xv
Photocineography and Photography,	xvii
Official Staff of Registry of Deeds Office,	xviii
Complaints of Staff Clerks—Holidays—Hours of Business,	"
Complaints of Transcribers,	xx
Defects in Buildings,	xxi
Maps on Memorials,	"
Organization and Staff of Registry of Judgments Office,	xxii
" " Record of Title Office,	"
Exceptions in Requisitions for Searches,	"
Record of Negative Searches,	xxiii
Revenues and Expenses of Registry of Deeds Office—Stamps—Fees—Surplus,	"
Summary,	xxiv
Observations, &c., of C. H. Maldon, Esq.,	xxvii
" " O'Connor Don,	xxviii
" " R. O. Armstrong, Esq.,	"

APPENDIX.

Suggestions of R. O. Armstrong, Esq.,	1
Forms of Books proposed by Commissioners,	6 to 23
Abstract Book,	6
Names Index,	8
Lands Index,	10
Plan for Numerical Registration by R. J. Lane, Q.C. (Secretary),	24 to 35
Concise Statement of points of,	35
Forms of Books, &c., for,	36 to 46
Towlands' Lists,	36
Particulars of Deed,	37
Day Book,	38
Abstract,	39
Book,	40
Lands Index,	41 to 43
Names Index,	44 to 46

MINUTES OF EVIDENCE.

	Page.
Mr. Thomas A. Dillon,	47-57-62
„ Mark Perrin,	51
„ James McDonnell,	56
Lieut.-Colonel Martin, R.E.,	60
Mr. George Bryers,	64
„ A. Magee Day,	68-73
„ Jeremiah Leyno,	80
„ Thomas Taylor,	84
„ Charles M. Arundell,	87
„ John Boardman,	88
„ William Henry Adams,	91
„ John J. Matson,	96
„ Michael F. Dwyer,	103
„ Daniel O'C. French,	111
Captain Abney, R.E.,	115
Secretary's Letter to Registrar, 15th November, 1870,	118

MISCELLANEOUS.

Correspondence with the Incorporated Law Society,	119
Statement of classified Clerks in the Registry of Deeds Office,	120
Memorial of Transcribers'	120
Report of Dr. Coghlan,	121
Letter from J. P. Kavanagh, Esq. (Solicitor), about office accommodation,	122
„ Mr. Joseph Ramsey (Clerk in the Office), do.,	122
Correspondence in reference to copies of Maps on Memorials, H. Wilson, Esq.	122
Extract from Letter to the Registrar of Deeds asking what changes would be required in his office to carry out Commissioners' recommendations, 7th November, 1879,	123
His Statement in reply,	123
Present form of Abstract Book,	123
Return of Dates of Appointments and Promotions of Officers and Clerks in the Registry of Deeds Office,	124
Fees and Stamps in Registry of Deeds Office,	126
Form of Heading and Endorsement of Memorials,	127
Suggestions as to Registration from A. M. Day, Esq. (1st Class Clerk),	127
Forms proposed by him,	129
Correspondence as to Photostereography with Col. Cooke, C.M., R.E.,	130
His estimate of the expense of adopting it,	131
Questions sent by the Commissioners to the Registrar of Judgments, with his answers,	132
Forms of the Books used in his office,	134
Letter from Registrar of Judgments, November 3, 1879,	136
Schedule of Fees in the Record of Title Office,	137
List of Books kept there, Staff, Salaries, &c.,	138

COMMISSION APPOINTING 'LIEUTENANT-COLONEL CHARLES NASSAU
MARTIN, R.E., A COMMISSIONER.

VICTORIA REG.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to Our Trusty and Well-beloved CHARLES NASSAU MARTIN, Esquire, Lieutenant-Colonel in Our Corps of Engineers, and now in charge of the Ordnance Survey of Ireland, Greeting: WHEREAS We did by Warrant under Our Sign Manual, bearing date the Twenty-second day of January, in the Forty-first Year of Our Reign, authorize and appoint Our Right Trusty and Well-beloved Councillor, GEORGE AUGUSTUS CHICHESTER MAY, Lord Chief Justice in Ireland, together with the several gentlemen therein named, to be Our Commissioners to inquire into the operation of the system of Registration of Deeds, Conveyances, and Wills, in Ireland, and into the several other matters and things in Our said Commission mentioned, with powers, and subject to the provisions, and in the manner therein fully set forth.

AND WHEREAS We did deem it expedient to associate with Our said Commissioners in the execution of the said Commission one possessing special knowledge and experience of and concerning the Ordnance Survey of Ireland, and for that purpose did by Warrant under Our Sign Manual, bearing date the First day of March, One Thousand Eight Hundred and Seventy-eight, authorize and appoint Our Trusty and Well-beloved CHARLES WILLIAM WILSON, Esquire, Companion of Our Most Honorable Order of the Bath, Major in Our Corps of Engineers, to be associated with and to be one of Our said Commissioners.

AND WHEREAS the said CHARLES WILLIAM WILSON has resigned the said office of Commissioner.

NOW KNOW YE that We, reposing great Trust and Confidence in your Zeal, Discretion, and Integrity, have authorized and appointed, and by these presents do authorize and appoint you, the said CHARLES NASSAU MARTIN, to be associated with and to be one of Our said Commissioners to inquire into all and every the said matters in Our said Commission set forth; and it is Our Will and Pleasure that you shall have and exercise all the same and the like powers, and shall do all the same and the like acts, and generally shall stand and be in the same position, to all intents and purposes, as if you had been named and included in Our said Commission, bearing date the Twenty-second day of January, One Thousand Eight Hundred and Seventy-eight, as one of the Commissioners originally named therein.

Given at Our Court at Saint James's, the 9th day of January, 1880,
in the Forty-third Year of Our Reign.

By Her Majesty's Command,

RICHD. ASCHETON CROSS.

COMMISSION FURTHER EXTENDING THE DURATION OF THE
COMMISSION.

VICTORIA REG.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., to Our right Trusty and Well-beloved Councillor, GEORGE AUGUSTUS CHICHESTER MAY, Lord Chief Justice in Ireland; Our right Trusty and Well-beloved Councillor, CHRISTOPHER PALLES, Lord Chief Baron of the Exchequer in Ireland; Our right Trusty and Well-beloved Councillor, HENRY KYRE CHATTERTON, Vice-Chancellor in Ireland; Our right Trusty and Well-beloved Councillor, SYMPHES WOLFE FLANAGAN, one of the Land Judges of the Chancery Division of Our High Court of Justice in Ireland; Our right Trusty and Well-beloved Councillor, HENRY OMSBY, one of the Land Judges of Our High Court of Justice in Ireland; Our right Trusty and Well-beloved Councillor, MOUNTFORT LONGFIELD; Our Trusty and Well-beloved FREDERICK WILLIAM WALSH, one of the Judges of Our Court of Bankruptcy in Ireland; Our Trusty and Well-beloved JOSEPH FAVIERE ELINGTON, one of Our Counsel learned in the Law in Ireland; Our Trusty and Well-beloved CHARLES HENRY MELDON, one of Our Counsel learned in the Law of Ireland; Our Trusty and Well-beloved CHARLES NARRAC MARTIN, Esquire, Lieutenant-Colonel in Our Corps of Engineers, and now in charge of the Ordnance Survey of Ireland; Our Trusty and Well-beloved WILLIAM FINDLATER, Esquire, President of the Incorporated Society of Solicitors in Ireland; Our Trusty and Well-beloved CHARLES OWEN O'CONNOR, Esquire (commonly called THE O'CONNOR DON); Our Trusty and Well-beloved DODGSON HAMILTON MADDEN, Esquire; and Our Trusty and Well-beloved RICHARD OWEN ARMSTRONG, Esquire, Greeting:

WHEREAS We did by Warrants under Our Royal Sign manual bearing date respectively the Twenty-second day of January, One Thousand Eight Hundred and Seventy-eight, in the Forty-first Year of Our Reign, and the Ninth day of January, One Thousand Eight Hundred and Eighty, in the Forty-third Year of Our Reign, authorise and appoint you, or any six or more of you, to be Our Commissioners to inquire into the law relating to the registration of Deeds and Assurances in Ireland:

AND WHEREAS We did by our said Commission, bearing date the Twenty-second day of January, One Thousand Eight Hundred and Seventy-eight, declare Our will and pleasure to be that you, Our said Commissioners, or any six or more of you, should report to Us in writing under your hands and seals within the space of twelve months from the date of Our said Commission, or sooner if the same could be reasonably done, and also from time to time if occasion should in your judgment so require, your several proceedings by virtue of Our said Commission, together with your opinions touching and concerning the several matters thereby referred for your consideration:

AND WHEREAS We were pleased by Warrants under Our Royal Sign manual, bearing date respectively the Eighteenth day of January, One Thousand Eight Hundred and Seventy-nine, in the Forty-second Year of Our Reign, and the Twenty-first day of November, One Thousand Eight Hundred and Seventy-nine, in the Forty-third Year of Our Reign, to extend the duration of Our said Commission until the Thirty-first day of March, One Thousand Eight Hundred and Eighty:

AND WHEREAS it has been humbly represented unto Us that it would be expedient to further extend the period in which you, Our said Commissioners, were therein required to report unto Us.

NOW KNOW YE that We have extended and do by these presents extend the duration of Our said Commission until the Thirty-first day of October, One Thousand Eight Hundred and Eighty, for the purpose of enabling you, Our said Commissioners, to complete the inquiries thereby required to be made.

AND OUR FURTHER WILL AND PLEASURE is that upon due examination of the premises therein mentioned you do, before the said Thirty-first day of October, One Thousand Eight Hundred and Eighty, report to Us under the hands and seals of you, or of any six or more of you, what you shall have done in the premises.

Given at Our Court at Saint James's the Twenty-fourth day of March, One Thousand Eight Hundred and Eighty. in the Forty-third Year of Our Reign.

By Her Majesty's Command,

RICHARD ASSHETON CLERK.

MEETINGS OF THE COMMISSIONERS.

(56.) 6th November, 1879.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Justice.
 The Lord Chief Baron.
 Judge Ormsby.
 Judge Walsh.
 J. F. Elrington, esq., Q.C., LL.D.

C. H. Meldon, esq., Q.C., M.P.
 W. Findlater, esq.
 D. H. Madden, esq.
 R. O. Armstrong, esq.

The Secretary.

(57.) 10th November, 1879.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Justice.
 The Lord Chief Baron.
 Judge Ormsby.
 Judge Walsh.
 J. F. Elrington, esq., Q.C., LL.D.

C. H. Meldon, esq., Q.C., M.P.
 W. Findlater, esq.
 D. H. Madden, esq.
 R. O. Armstrong, esq.

The Secretary.

(58.) 13th November, 1879.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Baron.
 Judge Ormsby.
 Judge Walsh.

C. H. Meldon, esq., Q.C., M.P.
 D. H. Madden, esq.
 R. O. Armstrong, esq.

The Secretary.

(59.) 17th November, 1879.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Baron.
 Judge Ormsby.
 Judge Walsh.

C. H. Meldon, esq., Q.C., M.P.
 D. H. Madden, esq.
 R. O. Armstrong, esq.

The Secretary.

(60.) 20th November, 1879.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Baron.
 Judge Ormsby.
 Judge Walsh.

W. Findlater, esq.
 D. H. Madden, esq.
 R. O. Armstrong, esq.

The Secretary.

(61.) 24th November, 1879.—At the Board-room.

Present :

The Vice-Chancellor, Chairman,

The Lord Chief Justice.
 Judge Ormsby.
 Judge Walsh.
 M. Longfield, esq., LL.D.

C. H. Meldon, esq., Q.C., M.P.
 W. Findlater, esq.
 D. H. Madden, esq.
 R. O. Armstrong, esq.

The Secretary.

(62.) 1st December, 1879.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Justice.
 Judge Ormsby.
 Judge Walsh.
 C. H. Meldon, esq., Q.C., M.P.

W. Findlater, esq.
 D. H. Madden, esq.
 R. O. Armstrong, esq.

The Secretary.

(63.) 8th December, 1879.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

Judge Ormsby.
 C. H. Meldon, esq., Q.C., M.P.
 W. Findlater, esq.

D. H. Madden, esq.
 R. O. Armstrong, esq.

The Secretary.

(64.) 15th December, 1879.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

Judge Ormsby.
 Judge Walsh.
 J. F. Elrington, esq., Q.C., LL.D.
 C. H. Meldon, esq., Q.C., M.P.

W. Findlater, esq.
 D. H. Madden, esq.
 R. O. Armstrong, esq.

The Secretary.

(65.) 18th December, 1879.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

Judge Ormsby.
 J. F. Elrington, esq., Q.C., LL.D.
 C. H. Meldon, esq., Q.C., M.P.

D. H. Madden, esq.
 R. O. Armstrong, esq.

The Secretary.

(66.) 22nd December, 1879.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Justice.
 The Lord Chief Baron.
 Judge Ormsby.
 Judge Walsh.
 J. F. Elrington, esq., Q.C., LL.D.

C. H. Meldon, esq., Q.C., M.P.
 W. Findlater, esq.
 D. H. Madden, esq.
 R. O. Armstrong, esq.

The Secretary.

(67.) 9th January, 1880.—At the Dublin Steam Printing Company's Office, 94, Middle Abbey-street.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Justice.
The Lord Chief Baron.
W. Findlater, esq.

The O'Connor Don, M.P.
D. H. Madden, esq.

The Secretary.

(68.) 12th January, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Justice.
The Lord Chief Baron.
Judge Ormsby.
Judge Walsh.

W. Findlater, esq.
D. H. Madden, esq.
R. O. Armstrong, esq.

The Secretary.

(69.) 15th January, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Baron.
Judge Walsh.
C. H. Meldon, esq., Q.C., M.P.

W. Findlater, esq.
D. H. Madden, esq.
R. O. Armstrong, esq.

The Secretary.

(70.) 19th January, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Justice.
Judge Ormsby.
Judge Walsh.

W. Findlater, esq.
D. H. Madden, esq.
R. O. Armstrong, esq.

The Secretary.

(71.) 22nd January, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Baron.
Judge Ormsby.
Judge Walsh.
C. H. Meldon, esq., Q.C., M.P.

W. Findlater, esq.
D. H. Madden, esq.
R. O. Armstrong, esq.

The Secretary.

(72.) 26th January, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Baron.
Judge Ormsby.
Judge Walsh.

D. H. Madden, esq.
R. O. Armstrong, esq.

The Secretary.

MEETINGS OF COMMISSIONERS.

(73.) 23th January, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Baron.
Judge Ormsby.
Judge Walsh.

C. H. Meldon, esq., Q.C., M.P.
W. Findlater, esq.

The Secretary.

(74.) 2nd February, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Justice.
Judge Ormsby.
J. F. Elrington, esq., Q.C., LL.D.
C. H. Meldon, esq., Q.C., M.P.

W. Findlater, esq.
D. H. Madden, esq.
R. O. Armstrong, esq.

The Secretary.

(75.) 5th February, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

Judge Ormsby.
Judge Walsh.

W. Findlater, esq.
D. H. Madden, esq.

The Secretary.

(76.) 9th February, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

J. F. Elrington, esq., Q.C., LL.D.
W. Findlater, esq.

D. H. Madden, esq.
R. O. Armstrong, esq.

The Secretary.

(77.) 12th February, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

Judge Ormsby.
Judge Walsh.
J. F. Elrington, esq., Q.C., LL.D.

W. Findlater, esq.
D. H. Madden, esq.
R. O. Armstrong, esq.

The Secretary.

(78.) 16th February, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Justice.

Judge Walsh.

The Secretary.

(79.) 19th February, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

Judge Ormsby.
Judge Walsh.
J. F. Elrington, esq., Q.C., LL.D.
C. H. Meldon, esq., Q.C., M.P.

D. H. Madden, esq.
R. O. Armstrong, esq.
Lieut-Colonel Martin, R.E.*

The Secretary.

*Colonel Martin was appointed a Commissioner by Her Majesty's Warrant of the 9th day of January, 1880.

(80.) 23rd February, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Justice.
 Judge Ormsby.
 Judge Walsh.
 J. F. Elrington, esq., Q.C., LL.D.
 C. H. Meldon, esq., Q.C., M.P.

W. Findlater, esq.
 D. H. Madden, esq.
 R. O. Armstrong, esq.
 Lieut.-Colonel Martin, R.E.

The Secretary.

(81.) 26th February, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

Judge Walsh.
 J. F. Elrington, esq., Q.C., LL.D.
 C. H. Meldon, esq., Q.C., M.P.
 W. Findlater, esq.

D. H. Madden, esq.
 R. O. Armstrong, esq.
 Lieut.-Colonel Martin, R.E.

The Secretary.

(82.) 1st March, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

J. F. Elrington, esq., Q.C., LL.D.
 W. Findlater, esq.
 The O'Connor Don, M.P.

D. H. Madden, esq., Q.C.*
 R. O. Armstrong, esq.
 Lieut.-Colonel Martin, R.E.

The Secretary.

* Mr. Madden was appointed one of Her Majesty's Counsel since the last meeting.

(83.) 4th March, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

Judge Walsh.
 C. H. Meldon, esq., Q.C., M.P.
 W. Findlater, esq.

The O'Connor Don, M.P.
 D. H. Madden, esq., Q.C.
 Lieut.-Colonel Martin, R.E.

The Secretary.

(84.) 8th March, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Baron.
 Judge Walsh.
 J. F. Elrington, esq., Q.C., LL.D.
 W. Findlater, esq.

D. H. Madden, esq., Q.C.
 R. O. Armstrong, esq.
 Lieut.-Colonel Martin, R.E.

The Secretary.

(85.) 11th March, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Justice,
 The Lord Chief Baron.
 Judge Walsh.
 J. F. Elrington, esq., Q.C., LL.D.

The O'Connor Don, M.P.
 D. H. Madden, esq., Q.C.
 Lieut.-Colonel Martin, R.E.

The Secretary.

(88.) 15th March, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Baron.
 Judge Walsh.
 J. F. Ebrington, esq., q.c., LL.D.
 The O'Connor Don, M.P.

D. H. Madden, esq., q.c.
 R. O. Armstrong, esq.
 Lieut.-Colonel Martin, R.E.

The Secretary.

(87.) 18th March, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Justice.
 J. F. Ebrington, esq., q.c., LL.D.
 D. H. Madden, esq., q.c.

R. O. Armstrong, esq.
 Lieut.-Colonel Martin, R.E.

The Secretary.

(86.) 22nd March, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

D. H. Madden, esq., q.c.
 R. O. Armstrong, esq.

Lieut.-Colonel Martin, R.E.

The Secretary.

(89.) 13th April, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Justice.
 Judge Ormsby.
 W. Findlater, esq.

R. O. Armstrong, esq.
 Lieut.-Colonel Martin, R.E.

The Secretary.

(90.) 19th April, 1880.—At the Board-room.

Present :

Judge Ormsby, Chairman.

Judge Walsh.
 W. Findlater, esq., M.P.*
 D. H. Madden, esq., q.c.

R. O. Armstrong, esq.
 Lieut.-Colonel Martin, R.E.

The Secretary.

* Mr. Fin Eater was elected a Member of Parliament since the last meeting.

(91.) 22nd April, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

The Lord Chief Justice.
 Judge Walsh.

D. H. Madden, esq., q.c.
 R. O. Armstrong, esq.

The Secretary.

(92.) 26th April, 1890.—At the Board-room.

Present:

The Vice-Chancellor, Chairman.

The Lord Chief Justice.
The Lord Chief Baron.
Judge Ormsby.D. H. Madden, esq., q.c.
R. O. Armstrong, esq.
Lieut.-Colonel Martin, R.E.

The Secretary.

(93.) 3rd May, 1890.—At the Board-room.

Present:

The Vice-Chancellor, Chairman.

The Lord Chief Justice.
Judge Ormsby.
Judge Walsh.D. H. Madden, esq., q.c.
R. O. Armstrong, esq.
Lieut.-Colonel Martin, R.E.

The Secretary.

(94.) 10th May, 1890.—At the Board-room.

Present:

The Vice-Chancellor, Chairman.

The Lord Chief Justice.
The Lord Chief Baron.
Judge Ormsby.R. O. Armstrong, esq.
Lieut.-Colonel Martin, R.E.

The Secretary.

(95.) 7th June, 1890.—At the Board-room.

Present:

The Vice-Chancellor, Chairman.

The Lord Chief Justice.
Judge Ormsby.D. H. Madden, esq., q.c.
R. O. Armstrong, esq.

The Secretary.

(96.) 14th June, 1890.—At the Board-room.

Present:

The Vice-Chancellor, Chairman.

Judge Ormsby.
D. H. Madden, esq., q.c.

R. O. Armstrong, esq.

The Secretary.

(97.) 25th June, 1890.—At the Board-room.

Present:

The Vice-Chancellor, Chairman.

Judge Ormsby.
Judge Walsh.
D. H. Madden, esq., q.c., M.P.D. H. Madden, esq., q.c.
R. O. Armstrong, esq.

The Secretary.

MEETINGS OF COMMISSIONERS.

(98.) 5th July, 1880.—At the Board-room.

Present :

Judge Ormsby, Chairman.

Judge Walsh.

J. F. Elrington, esq., q.c., LL.D.

The O'Connor Don.

R. O. Armstrong, esq.

The Secretary.

(99.) 12th July, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

Judge Ormsby.

Judge Walsh.

J. F. Elrington, esq., q.c., LL.D.

C. H. Madden, esq., q.c., M.P.

D. H. Madden, esq., q.c.

R. O. Armstrong, esq.

The Secretary.

(100.) 15th July, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

Judge Ormsby.

Judge Walsh.

J. F. Elrington, esq., q.c., LL.D.

The O'Connor Don.

D. H. Madden, esq., q.c.

R. O. Armstrong, esq.

Lieut.-Colonel Martin, R.E.

The Secretary.

(101.) 26th July, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

Judge Ormsby.

The O'Connor Don.

D. H. Madden, esq., q.c.

R. O. Armstrong, esq.

Lieut.-Colonel Martin, R.E.

The Secretary.

(102.) 2nd August, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

Judge Ormsby.

D. H. Madden, esq., q.c.

R. O. Armstrong, esq.

Lieut.-Colonel Martin, R.E.

The Secretary.

(103.) 9th August, 1880.—At the Board-room.

Present :

The Vice-Chancellor, Chairman.

Judge Walsh.

D. H. Madden, esq., q.c.

Lieut.-Colonel Martin, R.E.

The Secretary.

REGISTRY OF DEEDS COMMISSION.

SECOND REPORT.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

The portions of the inquiries entrusted to us by your Majesty's Commissions upon which we were unable to certify to your Majesty when presenting our former Report, consist of those which we were authorized and directed to make into the present condition and official organization of the Registry of Deeds, Conveyances, and Wills in Ireland, and of the Office for Registering Judgments, Crown Bonds, and Recognizances, and also of the Office for the Record of Title in Ireland, and whether the said offices or some of them might not be consolidated so that there should be one office in which all searches for acts affecting lands, or for recorded title to lands should be made, and generally whether with a view to greater economy and efficiency any and what improvements ought to be made in the organization and system of the aforesaid offices respectively.

We have since then completed our inquiries into these several matters, and we beg leave to present to your Majesty this our further Report of the result of these inquiries, and to submit our recommendations in respect of them.

ORGANIZATION OF THE REGISTRY OF DEEDS OFFICE—PRINTING—FORMS OF BOOKS— NUMERICAL REGISTRATION.

To enable us to arrive at a conclusion whether any and what changes ought to be made in the organization of the Registry of Deeds Office, we deemed it necessary to consider the effect which the changes recommended by us in our former Report, if carried out, would have upon the official organization of the office. With this view we had to consider further the subject of making use of printing for the construction of the Abstract Books and current Indexes, as well as of the Day Book and the Consolidated Indexes which we have already recommended to be printed. This led us into an inquiry as to the feasibility of printing into bound books, a process which would be necessary for the construction in print of the current Indexes, though not for that of the Abstract Books, Day Books, or Consolidated Indexes. We were solicited by Mr. Thomas A. Dillon (a gentleman mentioned in our former Report, who has devoted much time and attention to mechanical appliances for the improvement of the process of registration), to permit a trial to be made for this purpose of a printing press constructed by him, and which trial he offered to have made in our presence at the printing office of the Dublin Steam Printing Company. We caused Mr. Dillon to be supplied with materials for the construction of the books he required, and we procured from the Registry Office copies of the Abstracts of instruments registered in one day, representing, as we were informed, an average day's work in the office. A special meeting of the Commissioners was held at this printing office to witness Mr. Dillon's experiments, and some impressions were then made in books prepared by him; and the manager of the Steam Printing Company, Mr. Bryers, a person of much intelligence and experience in the printing trade, was afterwards examined by us on this subject. These experiments showed that it would be practicable with a properly constructed printing press to print impressions in bound books, but they did not afford the means of judging of the suitability of this process to the work of the Registration of Deeds Office. Only a very few of the Abstracts supplied to Mr. Dillon were so printed, and it was impossible to continue the experiments, as the printing press produced by him for the purpose (which was only a model of what he stated would be the working press) broke down while in use. We were afterwards supplied by the Steam Printing Company with specimens of an Abstract Book, an Index of Names, and an Index of Lands, made by our directions, which were printed on sheets in the ordinary way from stereotype blocks, and afterwards put together in books, the first comprising the Abstracts representing the day's work above mentioned. In these books the several columns were arranged at our suggestion in such order that after the Abstract Books, which would contain full information, had been printed from the stereotype blocks, the columns, which would not be required for the Indexes, could be quickly and easily separated by sawing them

Inquiries completed in.

Printing in books.

Mr. Dillon's Press.

Experiments with, result of.

Office Books directed by the Commissioners.

Arrangement of

off from the blocks, leaving for printing into the Index Books the columns respectively required for each of them. Thus when a sufficient number of impressions of the Abstract had been taken, and when the columns not required for printing into the Indexes had been removed, the remaining portion of the stereotype block could be used, without further comparison, for making the necessary entries in the Names and Lands Indexes. It is stated that memorials are at present entered on an average against three grants in the Names Index, and five denominations in the Lands Index. Each of these entries is compared with the Abstract—a process which requires, consequently, on the average fifteen comparisons for each instrument. The delay so occasioned, and also the liability to error, would be obviated by printing the Indexes in the manner proposed.

On the other hand, an entry in the Names or Lands Index seldom exceeds a single line, and (as stated in our former Report) these entries are in a more convenient form for the purposes of searching than the fuller entries which would necessarily result from the adoption of the system of printing from the stereotype blocks exhibited to us. The Names Index is, at present, always completed within forty-eight hours after registration, and it remains to be proved whether it could be completed sooner by printing.

The construction of the Lands Index would be greatly expedited by the changes we have recommended in our former Report of substituting for memorials Abstracts brought in by the parties—thus obviating the delay occasioned by the construction of the Abstracts in the Registry Office—and of the adoption of the Ordnance Survey Townlands denominations. Until these have been tried, an opinion cannot be safely formed whether any further saving of time would be effected by the use of printing in the construction of the Indexes. Having regard to the experiments in printing in bound books above mentioned, and to the conflicting evidence on this subject given before us (which will be found in the Appendix), we have arrived at the conclusion that the process is deserving of a trial, but that we ought not to recommend the introduction of it without a trial, in substitution for a system which has worked so long and so satisfactorily. In order to test the practicability of the process of printing, and the relative advantages of the two systems, we think that they ought to be tried concurrently as applied to the actual daily work of the Office, and for a considerable time.

The same considerations do not appear to apply to printing the Abstract Books. The entries in these books are made in chronological order as the Instruments are brought in, and are at present written upon detached sheets, which are afterwards bound into books. We are satisfied upon the evidence that they could be printed in sheets from day to day by ordinary letterpress printing, and any number of copies required supplied on the day after the copies of the Abstracts were sent to the printer. It is work that might with safety be entrusted to an authorized printer outside the Registry Office, for the original Abstracts need never leave the office, as copies could be made there for the printer's use, and the impression afterwards checked by the Clerks of the Registry Office with the originals in their custody. The only delay that could arise would be in making the copies of the Abstracts in the Registry Office, but this would be obviated by requiring the Abstracts to be brought in in duplicate, one copy to be retained in the Office, and the other transmitted at once to the printer. The printed sheets of the Abstract Books could be temporarily put together, as they are now, until a sufficient number of pages was filled to constitute a volume, and then permanently bound. It would be sufficient to print one or two copies on parchment as permanent Records, and those for ordinary use might be on paper. We are of opinion that printing may be applied with much advantage to the construction of these books. It would not render necessary any staff of printers in the Office, and it would save much of the labour now required for the construction and the comparison and checking of the Abstract Books, and would provide at a trifling expense any number of copies required for use, and also for supplying the place of any books damaged or worn out by use. We have approved of a form of Abstract Book to be used (whether these books are constructed by printing or manuscript), which will be found in the Appendix (p. 6).

Our Secretary at a late period of our proceedings submitted to us a plan of registration comprising a Lands Index, in which the Ordnance Survey sheets on the six-inch scale (instead of the Ordnance Survey Townlands) form the units of registration. By this plan, instead of having a separate page or space in the Index for each townland (of which there are 63,000), one would be required only for each sheet (of which there are 1,907). He further proposes that for more easy reference the townlands and parts of townlands on each sheet should be numbered on the sheet, and also that authorized lists of the townlands on each sheet, with their respective numbers, should be published; that every abstract brought in for registration (in addition to the

county) should state the number of the Ordnance Survey sheet in the county (within the area of which the lands dealt with are situated), and the numbers of the townlands on the sheets; that the page or space in the Index allotted to each sheet should be in the same numerical order as the Survey sheets; and that each instrument dealing with land should be entered in the Index in chronological order upon the page or space therein allotted to the sheet or sheets respectively within the area of which the lands are situated; and that in such entry the lands should be described by their numbers, instead of by the names of the townlands. This plan, with specimens of the proposed Indexes and other necessary forms, and a concise statement of its principal points, will be found in the Appendix to our Report (pp. 24-35). It would work in with the general system proposed by us in our former Report, of which it would be a further development, but from the late period at which it came before us we have been unable to give it sufficient consideration to express a further opinion upon it.

Too late for consideration.

PHOTOZINCGRAPHY AND PHOTOGRAPHY.

With the view of obviating the objection to the comparison in the office of the copies of instruments with the originals, noticed by us in our former Report, we have inquired into the practicability of applying some process, other than manuscript, to the copying of instruments brought in for registration. We have had a report from the Registrar (Ap., p. 123) that it would occupy the time of twelve clerks to make those comparisons, which would render necessary the employment of so many additional clerks. It occurred to us that if the making of such copies could be effected by photo-zincography or photography in the Registry Office, the duty of bringing in copies might be dispensed with, and the necessity of comparison in the office obviated. We ascertained that the process of printing by photo-zincography is used at Southampton by the Ordnance Survey Department, and we applied to Colonel Cooke, R.E., the Director of that Department, for information upon the subject (Ap., p. 130). He kindly furnished us with a full and valuable statement of the applicability of this process to the purpose, and of the cost of copies so prepared (Ap., p. 130), and also furnished us with an estimate of the staff of persons which would be required to carry out this work in the Registry Office, the cost of the wages, materials, and plant necessary for the purpose, and of the space which would be required in the Office for carrying out the work there (Ap., p. 131). This estimate set down the cost at upwards of £15,000 per annum, an amount so great as to preclude us from recommending that this process should be carried out in the Registry Office, however otherwise desirable. Upon this subject we afterwards had the advantage of the evidence of Captain Ahney, R.E., of the Science and Art Department, South Kensington (Ap., p. 115), who gave us evidence of different methods of photographic copying, which are cheaper than the process of photo-zincography. The first of these mentioned by him was recommended by him as far the cheapest, and as well suited to copying Instruments in the Registry of Deeds Office, but it is only applicable when Instruments are written on but one side of the paper or parchment. It would be inexpedient to impose a regulation that all Instruments intended for registration must be written on one side only and to refuse to register any others; but it would be possible to charge a higher price for copying Instruments written on both sides, and this would confine those so written to a small number, and the higher charge would probably pay for the additional expense of copying them in some other way. It may be found practicable to put the Registry Office in connexion with the Ordnance Survey Department for the performance in the latter of any photographic copying work required for the purposes of the former, and so doing would probably produce a considerable reduction of expense in the Registry Office.

(1) Use of would reduce comparison and clerks for.

Col. Cooke's estimate of Staff and expense of photo-zincography.

Evidence of Capt. Ahney as to photography.

Suggestion to employ Ordnance Survey department.

If it should be found practicable to make use of some such process of copying, it would remove the objection to the bringing in of duplicates or copies on the ground of addition to the staff of clerks and transcribers which would be rendered necessary by the increased length of the documents to be transcribed as compared with the present memorials. It would not be expedient to dispense with such transcription, as, in that case, frequent access to the original duplicates or copies so brought in must take place in the ordinary course of business, and this would, even with every care, endanger their durability. If any effectual means could be adopted for shortening conveyances these difficulties would be removed, or greatly diminished, and it could be prescribed that a duplicate of a conveyance should be lodged in the Registry Office, which would be preferable to a certified copy. If the objections on the ground of expense are found too strong to permit our former recommendations on this subject

(2) Would remove one objection to duplicates.

(3) If not used, deposit of duplicates should be optional.

to be carried out, and if no cheaper method of having such transcripts made and their correctness insured can be devised, we must only advise that instead of making it compulsory to deposit duplicates or certified copies in the Registry Office for the purpose of registration, it shall be made optional to do so. We think that duplicates executed and used for this purpose should be free of the stamp-duty now payable on duplicate deeds, the other parts being duly stamped.

OFFICIAL STAFF OF REGISTRY OF DEEDS OFFICE.

Changes, &c., since former Report.

Vacancies filled under Council Order of Feb., 1876.

Disadvantages of ;

for the system not suited to this Office.

The official staff of the Registry of Deeds Office, as it existed at the time of our former Report, was fully set forth in the return made to us by the Registrar of Deeds, No. 8, in the Appendix thereto (p. 124), to which we refer. Since then the first Assistant Registrar having resigned the second Assistant Registrar has been promoted to his place; the Chief Clerk has been appointed second Assistant Registrar; the Assistant Chief Clerk and Accountant has been made Chief Clerk; and the office of Assistant Chief Clerk and Accountant has been abolished as arranged by a Treasury Minute of the 12th day of June, 1874. The vacancy then existing in the number of first class clerks has been filled up by a promotion from the second class, and the vacancy in the second class, thus created, by a promotion from the third class, which raised the number of vacancies in that class to seven. These vacancies in the third class have been filled up, not in the ordinary way, but by the appointment under Your Majesty's Orders in Council of the 12th February, 1876, of seven gentlemen from the lower division of the Civil Service, who have not become members of any of the classes previously existing in the office, but whose position is regulated altogether by the system established by those orders. There are, therefore, now in the office four classes of clerks beside the transcribers. We have been informed by the Registrar that it is contemplated by the Commissioners of Your Majesty's Treasury to make all future appointments of clerks in this Department, according to the system established by the Orders in Council to which we have referred. The result would be to have but one class of clerks, all of the lower division, the maximum salary to which they could attain being £300 a year, and that only by triennial increments of £15, with the chance of obtaining in addition good service or duty pay not exceeding £100 a year. This change would greatly reduce the salaries and advantages of the clerkships in this office, and would consequently lower the class of persons appointed, and in addition it would so greatly diminish the prospects of increased pay and of promotion that men of superior intelligence would after a few years become discontented with their position. They would have no sufficient inducements to remain in the Registry Office, the want of which must tend to lead them to seek advancement elsewhere, and thus to leave only the men of inferior ability and attainments in permanent service there. We are of opinion that this would affect the office very prejudicially, and would seriously tend to impair its efficiency. It is a Department which requires to be officered by a superior class of clerks, who should have every fair inducement to make it their permanent employment, and to look to promotion in it as their only reward for long and efficient service. The entire landed property of Ireland is dependent upon this Department for the security of its title, and the services to be performed in this respect are of high importance to all who have any dealings with land. It takes many years of continuous training to fit a clerk to discharge the higher duties of the Office. The new system is not, in our opinion, suited to an office like this, and we strongly recommend that the change now in progress be not persevered in.

The alterations which we have recommended to be made in the present system of Registration may cause some change in the number of the clerks required, but they tend to operate in opposite directions, and may neutralize each other in this respect. Consequently, until these alterations have been tried, it will be impossible to say what staff may be required, and we cannot, therefore, recommend any change in the number of clerks at present employed. If the present system of Registration continues we are of opinion that the present staff will be required for the proper working of the office, and if the increase of its business, which has lately taken place, should progress at the same rate, it will be necessary to add to the number of the clerks.

COMPLAINTS OF STAFF CLERKS—HOLIDAYS—HOURS OF BUSINESS.

(1) Slow promotion.

We have had statements from the different classes of clerks employed in the office laid before us (Ap. pp. 119-20), and have also examined representatives of these classes, selected by themselves. They all complain of the slowness of promotion in this office in compa-

reason with other Departments of the Civil Service, and they attribute this slowness to the division of the clerks into three classes, and to the small number of first-class clerks. The present staff of clerks consists of the Chief clerk, ten first-class clerks, fifteen second-class, and thirty third-class clerks, besides the seven lately appointed under the new system. The salary of clerks of the third-class commences at £90 a year, and increases by yearly increments of £10 to £300. It thus takes eleven years' service, at the least, to attain the maximum. When that has been attained all farther progress is stopped, unless promotion to the second class takes place, which may not, and probably will not, occur for several years.

The salary of the second class commences at £210, and increases by like yearly increments of £10 to £300. Then another stoppage takes place, unless promotion to the first-class is attained. Supposing that no greater interval of time than a year existed between attaining the maximum salary of the third class and being advanced to the second class, it would take at the least twenty-one years' service to attain £300 a year, the maximum salary of the second class. We are of opinion that a salary of £300 is not more than a clerk of that length of service is fairly entitled to, having regard to the general remuneration of Civil Servants, to the high class of duties these clerks have to perform, to the responsibility attached to the performance of them, and to the serious consequences to the public which might ensue from want of skill or want of care on the part of individual clerks.

We have inquired into the necessity for the present classification, and find that there is no distinction in the nature of the business performed by these different classes. Clerks of the third class, when found careful and intelligent, are put to discharge duties of the highest order, and are found engaged in the same duties as clerks of the second or even the first class. We have investigated the causes of this, and find it to be the unanimous opinion of all the officers and clerks whom we have examined that from the nature of the business, it cannot be pre-arranged, so as to assign to any class of clerks permanently the transaction of a particular portion of the work. In fact, to fit a clerk for being a really good officer, he must have practical knowledge and experience of all the different kinds of work. These observations do not apply to mere transcription, which is done by a different set of men, not staff clerks. The only use then of the division into three classes is that it may afford a check upon the advancement of persons not entitled to promotion, and may enable promotion to be awarded to men of special merit. We do not attach much weight to these reasons as regards the division between the second and third classes, and we think that they are more than counterbalanced by the delay it causes in the increase of the pay of deserving officers and the discontent thereby produced. We therefore recommend that the present second and third classes be united as a second class, the salaries to commence as at present at £90, and to advance by yearly increments of £10 to £300, the present maximum of the second class. We are of opinion that the first class should continue as at present as to both number and salaries. Promotion to it should be on the ground of merit, and be made by selection from clerks of the second class of not less than twenty years' service. We also recommend that appointments to the place of Chief Clerk should be made from clerks of the first class. As promotion to the first class would then become the sole reward of good service, and the great object of ambition, the selection of men for it would naturally be watched with jealousy by the general body of the clerks, and should be especially guarded against all danger of favouritism. We think that the mode of selection for this class which would most command confidence would be that all promotions to it should be made by the Commissioners of your Majesty's Treasury, on the recommendation of a Board of Officers, consisting of the Registrar, the Assistant Registrars, and the Chief Clerk, stating the grounds of such recommendation. Appointments to the office of Chief Clerk should, we think, be made by the Commissioners on a like report of the Registrar and Assistant-Registrars to whom, considering the importance and infrequency of such appointments, we recommend there should be added some official not connected with the office to be nominated for the purpose by the Commissioners of your Majesty's Treasury. In making these recommendations, we do not mean to cast any imputation on the way in which the Registrar has acted with respect to promotions in the office, or to express any want of confidence in his impartiality. We do not think it necessary to make any recommendation as to the mode of appointing clerks in the first instance, as we are of opinion that it should be regulated by the same rules as admission to other departments of the Civil Service of your Majesty. We think that the period of probation of clerks newly appointed should be not less than one year.

Complaints were also made to us of the insufficiency of the yearly increments, but we do not think that the clerks have any just grounds of complaint in this

Cause of Present Staff.
Salary of Third Class.

Salaries of Second Class.

Present classification objectionable,

and why.

Only use of

Recommendation to unite Second and Third Classes.

Appointments of

First Class Clerks, and

of Chief Clerk, how to be made

(2) Insufficiency of yearly increments.

respect, particularly when regard is had to the benefits that would be conferred on them by the union of the second and third classes.

(3) *Curtailment of vacation.* The clerks in the Office complain that they have not received the full amount of the vacations to which they are entitled, being thirty-six working days in the year, and that in respect of the holidays on which the office must be closed, and the now usual Saturday half-holiday, they are at a disadvantage as compared with other public offices. The reason given us by the Registrar for his inability to allow the full vacation to all the clerks is, that for some time vacancies had not been filled up, and that he was then unable to spare the clerks from duty. These vacancies having since been filled, there is reason to expect that there will be no difficulty in allowing the full vacations in future; and we are of opinion that a sufficient number of clerks should be maintained to enable this to be done without fail. The onerous duties and close confinement of the clerks, added to the unwholesomeness of their occupation as mentioned in Sir D. Corrigan's Report, hereafter mentioned (p. xxi), render it desirable that their vacations should not be curtailed. The reducing of prescribed vacations is a certain cause of discontent.

Reason given for. From the peculiar nature of the business of this office, we are of opinion that it would be inconvenient to give many holidays on which the office must be closed, but we think it would be practicable, without inconvenience to the public, to close the office—in addition to Christmas Day and Good Friday, the only holidays now kept—on Easter Monday, Whitsun Monday, and on the two week days next after Christmas Day. We also think that it would not be inconvenient that the office should be closed at two o'clock on Saturdays.

Should not be. We are of opinion too that it would be advantageous to the transaction of the business of the office that no instruments should be received for registration after three o'clock on ordinary days and one o'clock on Saturdays. This would render it possible to have all the instruments compared, examined, and registered on the day that they are presented, and to have the registered particulars entered on the day-sheet for reference on the day of registration, and for public use at the opening of the office next morning. At present a very inconvenient and even dangerous practice exists, which is now inevitable, of non-official searchers having recourse to original instruments, which have been brought in towards the close of the day, but for the entering of which on the day-sheet no time remains. The originals are thus inspected in order to enable these outside searchers to ascertain what instruments have been registered up to the closing of the office, with a view to conclude some pending transactions.

COMPLAINTS OF TRANSCRIBERS.

(1) *Inadequate payment.* We have also received representations from the Transcribers in the Registry of Deeds Office (Ap., p. 121) of grievances under which they consider themselves to labour, and we have inquired into their position and the matters of which they complain. Their entire duty is copying, for which they are paid at the rate of 1½d. a folio of seventy-two words. They submit that inasmuch as persons similarly employed in the High Court of Justice receive weekly salaries in addition to payment for copying at the same rate of 1½d. a folio, and have also a right to retiring pensions, they are aggrieved by not being given the same advantages. There is no doubt that their position is not nearly so advantageous as that of the clerks referred to, and we should be glad to be able to recommend that they should be accorded, to some extent at least, similar privileges. It has been forcibly urged by them that after many years of continuous and meritorious service, their remuneration instead of increasing must diminish from advancing age, and consequent infirmities, and that when worn out in the service they have no provision for the residue of their lives. We cannot, however, venture to put our wishes into the form of a recommendation when we take into consideration that they enter into their employments on the terms that they are not to be entitled to anything but weekly pay for the actual quantity of work done, and that they may be at any time dismissed without compensation, and that the Registrar finds no difficulty in procuring suitable persons to undertake this work on those terms. The Transcribers have further represented to us that they are not paid for some of the work actually done by them, viz., the headings and indorsements of copies of memorials and searches, nor for preparing the parchment on which they write. We consider this a just cause of complaint, and recommend that every word they are required to write should be counted for the purpose of payment, and that they should be given some payment for preparing the parchment in proportion to the time it generally occupies, or instead of the latter that the parchment should be properly prepared for use in some other way. They also asked that they should be employed in the com-

person of their own work and paid for it, but of this we disapprove, as it is most important that the correctness of their work should be ascertained as at present by the staff clerks of the office. (4) Not comparing their own work.

DEFECTS IN THE BUILDINGS.

We have received several complaints from solicitors and others frequenting the office of the want of rooms, and the insufficient accommodation in the apartments where the public business is transacted, and we have had similar complaints from the clerks as to some of the rooms occupied by them (Ap., p. 122), and especially as to the Searching Room. Some of our number have personally inspected the buildings, and have informed us of the result of their inspection, and we have examined the Registrar and several of the other officers on the subject. We are of opinion that the accommodation afforded by the present building is wholly inadequate for the due performance of the business of the office. The apartments into which instruments are brought for examination and registration, and that appropriated to non-official searchers afford very insufficient space for the persons having occasion to use them. The latter should be at least three times its present size. They are very inconveniently arranged. The official Searching Room also is confined and overcrowded, and the public are not provided with such accommodation as they are entitled to require. (1) Insufficient room.

The want of space in the buildings occupied by the department, and the want of accommodation for the rapidly increasing number of books (all which must be at hand for immediate reference), will be more felt every year. It will be absolutely necessary to provide further space, which must be measured by the estimated future wants of the office. It has been suggested to us that the building now used for the offices of the Court of Probate, and which adjoins that of the Registry of Deeds Office, and in fact forms part of the same building, would afford convenient and adequate accommodation for the purposes of the Registry of Deeds, and that suitable offices for the Court of Probate may be provided adjacent to that Court, from which the present offices are about a mile distant. We fully approve of this suggestion, and consider that it would be advantageous to both departments. We venture to submit that the expense of procuring this necessary accommodation might well be defrayed out of the sum transferred to your Majesty's Treasury from the surplus receipts of the Registry of Deeds Office, to which we shall afterwards refer. Further required, and suggestions as to.

The ventilation too, is defective, which, especially in a building heated by hot water-pipes, is very injurious to health and comfort. The late Sir Dominick Corrigan, M.A., made a sanitary inspection of the building in the year 1860, and we beg leave to refer to his Report which is set out in the Appendix hereto (Ap., p. 121). Some attempts were made to remedy the evils pointed out by him, but they were inadequate and ineffectual. Immediate steps should be taken, under the direction of a competent architect, to improve the existing offices as far as possible, as we believe that the health of the clerks is much affected by the present defects therein. (2) Ventilation.

MAPS ON MEMORIALS, &c.

We have been informed (Ap., p. 122) that inconvenience has arisen from parties not being able to procure copies of the maps upon memorials, without which the operation of the corresponding instruments cannot be fully ascertained. At present there are very few memorials with maps attached, but if copies or duplicates are lodged in place of memorials, maps will probably be more frequently brought in than at present. There is no possibility under the present arrangements of having copies of maps made and supplied to the public. It would be manifestly inconvenient to allow persons not being officers of the Department, or duly authorized by it, to make tracings of such maps, but we think that an arrangement should be made to have such copies or tracings made, when required, by the Ordnance Survey Department, or some other qualified and authorized persons, and supplied to the parties requiring them, on payment of the expense of making them. Report thereon of Dr. Corrigan.

A practice exists in the office which we consider objectionable, namely, that instruments, after they have been examined and compared there, and initialled by the clerks as correct, are handed back to the persons who have brought them in, before being given to the Assistant Registrar for registration. This renders it possible that they may be tampered with after examination, for they are sometimes taken out of the office and brought back on a subsequent day, and registered without further examination. We recommend that when once an instrument has been presented it should not leave the custody of the officers until it is either completely registered or rejected for. Inability to get copies of. Suggestion to remedy.

Returning deeds to parties before complete registration should be discontinued.

irregularity. This will not impose any additional trouble on the officers, and in making the alterations we have recommended in the accommodation of the office, an arrangement could be easily made for passing the instruments from the examining clerks to the Assistant Registrar.

ORGANISATION AND OFFICIAL STAFF OF THE OFFICE OF REGISTRAR OF JUDGMENTS.

Books and arrangements of approved of.

Consolidated Index of Judgments, where to be kept.

We have inquired into the organization of the office of the Registrar of Judgments, and have obtained from him a return of the clerks now employed therein, and a statement as to the business and condition of the office, which will be found in the Appendix to this Report (p. 133, &c.). We have also examined the books now kept there under the Statute of the 34th and 35th years of your Majesty's Reign, ch. 22, and the General Orders made thereunder. We have to express our approval of the manner in which these books have been arranged and kept, and the great facilities thereby afforded to persons searching for judgments and other acts therein registered. The Registrar is entitled to much credit for the present satisfactory condition of his office. We have already reported that this office may be now discontinued, and that the books containing Registrations of Judgments, and other acts affecting lands, should be transferred to the Registry of Deeds Office, and that the books containing Registrations of Judgments not directly affecting lands, should be transferred to one of the offices of the High Court of Justice in Ireland, where a Consolidated Index of such Judgments should be kept. The office which we consider the best suited for the keeping of such Consolidated Index is the Consolidated Record and Writ Office, connected with the Chancery Division of the High Court. It will be necessary to add to the clerks of that office a sufficient number to transact this additional business, which can best be done by transferring to it some of the clerks in the office of the Registrar of Judgments. There are at present employed in this office, a chief clerk, a second clerk, two junior clerks, two searching clerks, and one writing clerk. The number of clerks, which in the opinion of the Registrar (Ap., p. 52, No. 99), would be sufficient for registering those judgments, and keeping the Consolidated Index, is four, consisting of a chief clerk, a second clerk, and two others; the remaining clerks might be either transferred to the Registry of Deeds Office, or permitted to retire. Arrangements should be made in the different divisions of the High Court of Justice for the regular transmission to the Consolidated Office of lists of the judgments entered in them respectively.

OFFICIAL ORGANIZATION OF RECORD OF TITLE OFFICE.

No further report on required.

We have taken evidence as to the official organization of the Record of Title Office. We find that the business transacted there is so inconsiderable, that no separate staff is now kept up. The business of the office is discharged by one of the examiners in the Court of the Land Judges, and by the Assistant Registrar in the same court, who receive additional payment in consideration of such services. The recommendation in our former Report to the effect that the Record of Title should be closed, renders it unnecessary to report further on its official organization.

EXCEPTIONS IN REQUISITIONS FOR SEARCHES.

Represented inconvenient &c.

Very objectionable as to

disapproved of

but new form of exception recommended.

It has been represented to us that the existing system of excepting in requisitions for searches instruments of which the searcher is already aware, or of which he is in want of no further information, causes considerable trouble and delay, for which the office now receives no equivalent, though formerly fees were charged upon such exceptions. It has been suggested on behalf of the office (Appendix First Report, 139, s. 14—and Evidence, No. 1574, and seq. and infra, p. 39, No. 973), that exceptions should be abolished, or, if retained, that the same fee should be charged upon them as upon acts returned in a search. We do not think that the abolition of the practice of excepting deeds in requisitions for searches, however convenient for the office, could be recommended in the interest of the public. The object of an official search is to ascertain whether there are any deeds upon the Register other than those disclosed by the Abstract of Title, or otherwise known to the party searching, and such deeds we think may fairly be excepted from the search. The trouble caused by exceptions arises from the difficulty of identifying by the present form of exception the excepted acts with those which appear on the Index. This difficulty would be obviated, if it were enacted that—instead of the present lengthy form prescribed for exceptions in requisitions for searches, which requires that the exception should state "the name and date of each instrument excepted, and the name of the party or testator" (2 and 3 Wm. IV. c. 47, s. 21)—the exception should be

confining to the year, the number of the volume, and the registration number of the instrument excepted. As all the exceptions are required by statute to be copied in the headings of the searches when given out, the labour in the office would be considerably diminished by this alteration.

RECORD OF NEGATIVE SEARCHES.

Different opinions have been expressed as to the value of recording copies of negative searches, as required by 11 and 12 Vic., c. 120, s. 1. Whatever opinions may be entertained as to the value of such a record, there is no doubt that it has not been made use of to any considerable extent, while its construction occupies much time, and delays the delivery to the public of certificates of negative searches.

On the whole, we think that sufficient advantage is not derived from this Record to justify its continuance.

THE REVENUE AND EXPENSES OF THE REGISTRY OF DEEDS OFFICE—STAMPS—FEES—SURPLUS ACCUMULATION.

The charges imposed on the public in respect of transactions in the Registry Office consist of two classes—First, certain fees directed to be taken in the office by 2 and 3 Wm. IV., c. 87 (Sch. B.), in respect of memorials, affidavits, and searches, to which there were added by 11 and 12 Vic., c. 120, fees relating to recorded negative searches. These fees were originally received in money, but are now paid by stamps, under the provisions of 27 and 28 Vic., c. 76, s. 3, and are referred to hereafter as fee stamps. Secondly, stamp duties payable to the Crown in respect of memorials and searches. These duties, hereafter referred to as duty stamps, are now regulated by the Stamp Act of 1870. The particulars of the fee stamps and duty stamps at present paid by the public will be found stated in the Appendix (p. 126).

Both fee stamps and duty stamps are in the nature of taxes imposed upon the members of the public who make use of the Registry Office, exacted in respect of transactions in the office, and we are of opinion that the sum total of these charges ought not to exceed an amount sufficient to render the office self-supporting.

The intention of the Legislature with reference to the application of the office fees (now represented by fee stamps) appears from the 2 and 3 Wm. IV., c. 87, s. 35, which recites that "it is of importance to the public that no greater fees should be charged in this office than will amount annually to a sum of money sufficient to discharge the current expenses of the establishment when efficiently appointed; and to leave a certain excess for particular purposes" specified in the Act (which consist chiefly of the construction of abstracts and indexes), and provides—"that it shall be lawful for the said Lord High Treasurer or Commissioners of Her Majesty's Treasury, or any three or more of them from time to time as to him or them shall appear needful or conducive to public convenience, to regulate the said Register Office, and as well to determine what number of persons shall be employed in discharging the duties to be performed therein, as what the duty to be performed by each individual so employed shall be, and likewise to fix the respective amount of salary to be paid to each individual for his services in the said office, and further to dispense with the services of all or any one of the individuals now appointed or employed or hereafter to be employed in the said Register Office, or any part of such services, or to reduce the salary of any such individual; and in any of the said cases to make a reasonable compensation or annual allowance to such individual or individuals as the said Lord High Treasurer or Commissioners shall deem proper, and to direct the payment thereof out of the fees of the said office, or to authorize the Registrar in cases approved of and limited by the said Lord High Treasurer or Commissioners to make such advances, and moreover to order and direct all or any part of any surplus of the fees and moneys received by the Registrar of the said office to be laid out or expended in rendering the said Register Office more useful and convenient to the public, and to reduce, alter, or vary any of the fees, regulations, orders, or directions established, or at any time hereafter to be established in the said Register Office, and to establish any other fees, regulations, orders, or directions."

It is plain from the language of this section that the office fees of the Registry of Deeds were never intended to form a source of imperial revenue, but were intended to be applied, for the benefit of persons dealing with land in Ireland, in the maintenance of an efficient Register Office and staff. Notwithstanding the provisions of this section, we have evidence* that sums amounting to over £42,000 were received by the Treasury on account of surplus fees received in the office between the years 1882

Record not much used, and should cease.

Two classes of charges.

(1) Fees.

(2) Stamps.

Both ought not to exceed expenses.

and so intended by the Legislature.

Ought not to be source of imperial revenue "has been to extent of over £42,000.

* See Parliamentary Paper H. C. No. 144, 1877.

and 1864. This sum was composed entirely of office fees. While it was accumulating, the revenue derived from the office stamp duties a large profit, the exact amount of which cannot be ascertained. The result is that up to the year 1864 the office contributed to the general revenue the entire of the stamp duties on memorials, searches, &c., and the above amount of the office fees.

Fee stamps
and duty
stamps
exceed
expenses of
office.

Since the year 1864 no sum has been received by the Treasury on foot of surplus fees, and the fee stamps since that year would not be in themselves sufficient for the maintenance of the office. But the entire revenue of the office derived from duty stamps as well as fee stamps appears from the evidence before us to have been at all times sufficient to counterbalance the expenditure; and inasmuch as we are of opinion that the revenue derived from duty stamps as well as fee stamps should be expended exclusively on the maintenance of the office, we do not consider that the deficiency of revenue from 1864 to the present time, made out by taking fee stamps alone into consideration, could be relied on by the Treasury as affording any answer to the claim of the office against the surplus fees remitted before 1864.

Both ought
to be applied
exclusively
to its main-
tenance.

We think that the stamp duties as well as fees paid in respect of transactions in the office ought to be applied exclusively towards its maintenance—an opinion which derives support from the action of the Legislature in 1850 passing the 13th and 14th Vic., c. 72, by the 49th section of which the entire of the stamp duties were remitted, and by the 37th section of the same statute it was enacted that it should be lawful for the Commissioners of Her Majesty's Treasury "to fix the fees to be taken in the Register Office in respect of documents to be registered, searches, certificates, office copies, and other matters to be done in the said office under this Act, and the powers contained in the said Act of the third year of William the Fourth, of reducing, altering, or varying fees established in the said Register Office, and establishing other fees, shall extend to the fees to be fixed as aforesaid, and the fees to be taken under this Act shall be accounted for and applied according to the provisions of the said Act." This Act never came into operation, but for reasons unconnected with the present subject.

Of the said sum which was so remitted from this office and absorbed in the Consolidated Fund prior to 1864, we find that a sum of £2,000 was expended by the Treasury in the construction of indexes and transcribing of memorials, but the balance of this large sum has remained in the hands of the Treasury. We think it important, to call attention to this fact, as we have already stated, that the present building is altogether inadequate for the accommodation of the office, and this sum of over £40,000, with its accumulations, appears to us to afford a fund which might fairly be made available for the purposes of the necessary improvements.

The charges
ought to be
on higher
and lower
scale.

As the uniformity of the scale of charges in the Registry of Deeds Office appears to us to press hardly on the parties to small transactions, who are often obliged to deprive themselves by special agreements of the full protection afforded by Registry searches, we think that the charges in the Office, for office fees and stamp duties, should be made on a higher and a lower scale, and should be regulated by the money consideration expressed in the instrument, or when no such consideration is expressed, by the annual valuation of the premises dealt with, to be certified by the solicitor of the party, or by the party himself when he acts in person, a penalty being provided in case of an untrue certificate.

Our attention has been called to a mistaken statement in our former Report, p. xli., "that there is an interval of 32 years, from the year 1800 to the year 1832, for which no Index of Names has been constructed." What we should have stated is that for that period no Indexes of Names have been constructed on the improved system now in use. We recommend that Indexes for that period should be prepared on this improved system, as soon as it can conveniently be done.

We cannot close this Report without expressing our obligations to our Secretary, and our sense of the valuable services rendered by him to the Commission. His long acquaintance with the subject of Registration, and with the details of the Registry Office, enabled him to give us very valuable assistance.

SUMMARY.

Our opinions and recommendations may be thus summarized:

1. That the process of printing into bound books is practicable, and that printing may be applied with advantage to the construction of the Abstract Book.—
p. xvi.

2. That the application of printing to the construction of the Indexes is deserving of a trial, and that, to test the practicability of so applying it, and the relative advantages of it and the existing system, the two systems should be tried concurrently in the daily work of the office for a considerable time.—p. xvi.
3. That the Abstract Book should be printed in the form approved of.—p. xvi.
4. That the plan of numerical registration proposed by the Secretary would work with the plan proposed by the Commissioners and be a farther development of it.—p. xvii.
5. That the expense of copying by photozincography, if carried on in the Registry of Deeds Office, would be so great as to preclude our recommending it, but if the required copying could be executed by this or some similar process, in some public office, where a staff is kept for the purpose, it would be advantageous.—p. xvii.
6. That—if the expense of requiring registration to be by deposit of a duplicate or certified copy should be found to be too great—the lodgment of a duplicate or certified copy should be made optional; but that such duplicates should be free of stamp duty.—pp. xvii. and xviii.
7. That the now system of appointing clerks is not suitable to the Registry of Deeds Office, and that the adoption of it therein should not be continued.—p. xviii.
8. That no change in the number of clerks in the office should be made at present.—p. xviii.
9. That instead of the present classification of clerks there should be only two classes, the second and third classes being united as a second class.—p. xiv.
10. That the first class should continue as at present, and that the general promotion to it should be on the ground of merit, from clerks of the second class of not less than twenty years' service.—p. xix.
11. That appointments to the place of Chief Clerk should be made from clerks of the first class.—p. xix.
12. That promotions to the first class should be made by the Lords Commissioners of your Majesty's Treasury, on the recommendation of a Board of Officers, consisting of the Registrar, the Assistant-Registrars, and the Chief Clerk, stating the grounds of such recommendation.—p. xix.
13. That appointment to the office of Chief Clerk should be made by the Commissioners on a similar report by the Registrar, the Assistant-Registrars, and some official not connected with the office, to be nominated by the Lords Commissioners of your Majesty's Treasury.—p. xix.
14. That the period of probation for newly appointed clerks should be one year at least.—p. xix.
15. That the vacations prescribed for clerks should not be curtailed, and that, in addition to the holidays now kept, the office should be closed on Easter Monday, Whitsun Monday, and on the two week-days next after Christmas Day, and should be closed at two P.M. on Saturdays.—p. xx.
16. That instruments should not be received for registration after three o'clock on ordinary days, nor after one o'clock on Saturdays.—p. xx.
17. That the transcribers should be paid for every word they are required to write, and for preparing the parchment on which they write, or that it should be prepared for them.—p. xx.
18. That the accommodation in the office is wholly inadequate; that its ventilation is defective, and that immediate steps should be taken to improve the office, and to provide further space.—p. xxi.
19. That some arrangement should be made for furnishing to parties requiring them, copies or tracings of maps on memorials, by the Ordnance Survey Department or otherwise.—p. xxi.

20. That when an instrument has been presented for registration it should not leave the custody of the officers until it is either completely registered or rejected for irregularity.—p. xxi.
21. That the Consolidated Index of Judgments, not *directly affecting lands*, which in our former report we recommended to be kept, should be kept in the Consolidated Record and Writ Office of the Chancery Division of the High Court of Justice.—p. xxii.
22. That exceptions in requisitions for searches should state only the year, the number of the volume, and the registration number.—p. xxii.
23. That the recording of Negative Searches should be discontinued.—p. xxiii.
24. That the stamp duties as well as the fees paid in respect of registry transactions ought to be applied exclusively towards the maintenance of the office.—p. xxiii.
25. That the balance of the surplus receipts of the Registry of Deeds Office, for some time in the hands of the Treasury, amounting to over £40,000, with its accumulations, should be applied for the purposes of the necessary improvements in this department.—p. xxiv.
26. That the office charges, instead of being uniform, should be on a higher and lower scale.—p. xxiv.
27. That the Index of Names from 1800 to 1832 should be constructed on the improved system now in use in the office.—p. xxiv.

All which we humbly submit for your Majesty's gracious consideration.

Witness our hands and seals this 30th day of October, 1880.

GEORGE A. C. MAY, C.J.	(L.S.)
C. PALLES, C.B.	(L.S.)
HEDGES EYRE CHATTERTON, V.C.	(L.S.)
HENRY ORMSBY.	(L.S.)
FREDERIC W. WALSH.	(L.S.)
J. FAVIÈRE ELRINGTON.	(L.S.)
* CHARLES H. MELDON.	(L.S.)
WM. FINDLATER.	(L.S.)
D. H. MADDEN.	(L.S.)
* O'CONNOR DON.	(L.S.)
* R. O. ARMSTRONG.	(L.S.)
CH. MARTIN, Lieut-Col. R.E.	(L.S.)

RICHD: JAS. LANE, Secretary.

The Commissioners before whose names asterisks are placed signed the above Report subject to their respective observations annexed.

The Right Hon. M. Longfield (having attended only one meeting) and the Right Hon. Judge Flanagan (not having attended any) have not signed the Report.

RICHD. JAS. LANE, Secretary.

OBSERVATIONS AND DISSENT OF CHARLES H. NELDON, Esq., Q.C., M.P.

I have signed the above report, subject to the views put forward by me in my dissent to some of the recommendations contained in the first report. Nothing has occurred in the course of the prolonged inquiry which has since taken place in any way to change or modify the opinions then expressed by me; on the contrary, further investigation has satisfied me of the soundness of the views put forward in my former dissent. I cannot concur in the recommendation that the process of printing the Indexes in bound books is deserving of further trial. The experiments carried on were a failure, although every reasonable and proper assistance was given, and, to use the words of the present report (p. ii.), "The result did not afford the means of judging of the suitability of this process to the work of the Registration of Deeds Office." I feel convinced that any further experiments, even if extended to "a considerable time," will only result in the opinion already arrived at last year by the Commissioners—"We do not think it would be practicable to print the current series of Indexes, as it would require to be done from day to day, a process which, as applied to bound volumes, we consider to be essential, for the security of the Indexes would be difficult, troublesome, and unsafe; and we are satisfied from personal inspection and the testimony of the officials that no inconvenience is caused by having those Indexes prepared in manuscript, as at present." I see no reason to change my opinion on this subject, and everyone must agree in the importance of arriving speedily at a definite conclusion as to what changes (if any) are to be made in the present system, which admittedly has worked so long and so satisfactorily.

First
Report,
p. xxviii.

I abstain from making any observation on the system of "Numerical Registration" proposed by Mr. Lane, Q.C., the experienced and able Secretary of this Commission, except to say that so far from being of opinion that Mr. Lane's Numerical Index is an agreement with that recommended by the majority of the Commissioners in their first report, or merely a further development of it, I think it is opposed to it in many respects. Mr. Lane's plan, or one very similar to it, appears to have been examined by Messrs. Law and Chisholm in 1865, and the result of their inquiry favourable to the existing Indexes will be found in their report (p. 19).

Law and
Chisholm's
report, p. 19.

I cannot concur in the recommendation that the "First class clerks should continue as at present, as to number and salaries," although I am of opinion that promotion to that class should be on the ground of merit alone. I consider that the number of the clerks in the first class should be increased, and that such number should be in reasonable proportion to the entire staff, and in harmony with the classification existing in other departments of the public service. I think also that the higher appointments should be the reward of official ability, and the object of official ambition. I cannot concur in the recommendation respecting the appointments by a Board of Officers, and I am of opinion that the mode of selection for the post of chief clerk is very objectionable. Heretofore the practice followed has worked well, and no evidence has been laid before the Commissioners or sufficient reasons given for interfering with the discretion of the Registrar as to promotions in the office. The responsibility of the head of the Registry Office is very great, and far above that existing in any other branch of the public service. The Registrar of Deeds gives large security for the proper discharge not only of his own duties, but also of those in his department, and I cannot see how any interference with his discretion in the choice of assistants can in fairness be recommended. I consider that the recommendation that "some official not connected with the office" be associated with the Registrar of Deeds to report on the fitness of those who are hereafter to be appointed to the position of chief clerk as an unprecedented interference with the rights, position and duties of a highly responsible head of a great public department, and especially when no objection ever has been taken to any appointment as any time made, and no reason assigned for such a sweeping and radical change. The Act of Parliament which governs the existing practice enacts that "the direction, management and superintendence of all departments in the office shall devolve as his IV., c. 87, s. 3. duty upon the Registrar," and in the absence of any proof of improper conduct on the part of the present Registrar or any of his predecessors, and remembering that the Registrar is responsible in a large sum of money for the true and faithful execution of the duties of his office, I consider that it is only natural and just that he alone should

have the election, and recommendation to the Treasury of those officials who in his opinion are qualified to discharge the duties of first class clerks, and of chief clerk. As to this latter point I consider it would be impossible for an "official not connected with the office" to form a just or reliable opinion from his want of official experience and intimate knowledge of the respective merits of the individuals interested in the appointment, and besides the interference of persons unconnected with the department cannot but be considered a slur on the head of so important a public department as the Registry of Deeds.

CHARLES H. MELDON.

OBSERVATIONS AND DISSENT OF THE O'CONOR DON.

I have signed the foregoing Report, subject to the opinions heretofore expressed by me relative to the Record of Title Office and other matters, and from none of those opinions do I see any reason to depart. So far as I witnessed the experiment, Mr. Dillon's system of printing in bound books seemed to me successful, and I quite concur with the recommendation that it should be fairly tried. Upon the merits of the Numerical Registration proposed by our Secretary, and worked out by him with great care and ability, I do not, for the reasons mentioned in the Report, offer an opinion, but I cannot concur in stating that it would be a development of the system suggested in the former Report, as it seems to me it would be a substitution of a new and very different system from the one therein recommended. I am also unable to concur in the doubtful recommendations as to the lodgment of duplicates or copies of deeds. I believe that photographic copying can certainly be usefully employed, without an extravagant expenditure, in correctly reproducing the contents of the documents, but even if this could not be accomplished, I do not think the question of additional expense should prevent the adoption of a system which otherwise appears to be the most desirable. In any case I agree in the opinion expressed in the first Report that it would not be advisable to leave it optional with the person registering an instrument to confine himself to an abstract, or to deposit also an original or a copy; and unless the latter system be made compulsory, I see no great advantage in departing from the existing system of registration by memorial. Finally, I do not altogether concur in the recommendations as to the appointment of First Class Clerks or the other Superior Officers, as I do not think the formation of a Board of Officers, simply for the purpose of recommending promotion, would work well.

O'CONOR DON.

OBSERVATIONS OF R. O. ARMSTRONG, ESQ.

In the course of our inquiries I offered some suggestions for consideration which were favourably received, and the majority of them are adopted in the above Report. Notwithstanding the non-adoption of the others, I think they are of such a practical character that they may probably be of use to those on whom it may devolve to frame a bill and organize a practice, should legislation be a result of our Report. With this object I have asked that my suggestions should appear with the Report, and they will be found in the Appendix (p. 1). They are given in full, as, in going over them, I found that in some cases, they hinge one upon another in such a way as to make it difficult, by extracts only, to make them intelligible. In particular, I desire to call attention to those which relate to a "Lands Index," and in connexion with the subject of a "Names Index," I wish to refer to a form of "Names Index" in use in the Registrar-General's Office, which was brought under our notice. It appears to me to combine simplicity, convenience, and efficiency, and I have had an opportunity of personally testing its merits. An extract from it will be found at the end of my suggestions (*infra*, p. 5).

In offering these observations I am not to be understood as in any way dissenting from the Report.

R. O. ARMSTRONG.

APPENDIX.

APPENDIX.

SUGGESTIONS OF R. O. ARMSTRONG, ESQ.

1. It has always struck me that the seventh recommendation in our first Report (p. xlvii.)—that a copy of the instrument should be brought in with the original, and corrected, retained and preserved in the office—requires some modification. My reasons are:—

(a) The expense.—Assuming the average length of deeds to be three skins of fifteen folios, the cost of the copy may be fairly estimated at one shilling per folio, or £2 5s. Having in view the objects of the requirement, the copy—it might with more accuracy be called a duplicate—must be made with extra care. The additional trouble connected with comparison in the office must involve an increase in the fees for registry, and would necessitate an increased official staff. The duty could not be confided to any but officials, more or less trained. Assuming sixty deeds per diem to be registered, the quantity to be compared would be 180 skins. Thirty skins would be a fair day's work for two clerks; the labour is monotonous and uninteresting to a degree, and attention could not be sustained for any great length of time. This comparison would involve an addition of twelve to the existing staff.

It would be unsafe that the copy lodged should be open to general inspection in the office, and it would therefore appear necessary it should be transcribed; copying 180 skins per day at 1½d. per folio would cost about £16. The expense of the books would be a material item, besides which there would be requisite the services of officials to inspect and superintend, as is at present the case in the writing department, and lastly, the copies transcribed would require comparison. All the expenses I have enumerated would be additional to the existing charge, and they would be found in the aggregate very much to exceed the adoption of Photozincography, which we discarded principally on account of its costliness.

(b) Is there a necessity for registering all deeds *in extenso*?—Instruments registered may be classified, as for example, "Family Settlements," "Mortgages," &c; as to the former it would appear most desirable there should exist power to permanently record the entire instrument, the legal effect of doing so being defined; as to the latter the same reason does not appear to prevail, the deed is transitory in its nature, may be paid off, and extinguished at any moment. Covenants to pay, proviso for redemption, power of sale, are stereotyped forms. For all practical purposes if the register discloses the fact, that "A" granted in mortgage to "B" the lands of "C" to secure £ ———, it would be sufficient. Of the 63 deeds of which abstracts were supplied by the Registrar, for the use of the commission, 30 per cent. were mortgages, or other instruments of a passing kind.

(c) The space necessary to enable the recommendation under consideration to be carried into effect. This is a very important element—13,660 duplicates or copies of deeds, the quantity for a year, would occupy space of a very considerable extent, and quite beyond the capacity of the existing department.

For the reasons given it might be desirable to reconsider the seventh recommendation in our first report, and its modification by making it *permissive* in its effects.

2. With regard to abstracts for purposes of registry it is worth considering whether there should not be brought in with the deed an original and a certified copy of the abstract, the former to be deposited for safe custody, the latter to be used for indexing and the general purposes of the office, being placed on a file until a sufficient number had accumulated for binding.

3. With the abstracts there might be required a short memorandum for the Registrar, containing the particulars necessary to enable the compilation of the "Names Index" to be at once proceeded with.

4. I would suggest, with reference to the contents of the abstract, that the omission of the proposed column for the names of grantors whose execution of the instrument had not been proved, should be reconsidered—the "Names Index" and the "Lands Index" negatively give this information. I think the names of all grantees should appear:—Our printed forms do not carry out this intention, it was possibly an oversight their not doing so.

5. Abstracts and memorandums should be in common form of uniform shape, and procurable at any law stationer's.

6. The process of registration might be facilitated. The abstracts and memorandums suggested having been examined with the deed and found correct, the fact of registry might be at once certified and the deed returned to the party. To the profession this would be a boon. The certificate as has been suggested could be put on the instrument by means of an ordinary hand stamp.

7. There are kept in the office a "Day sheet" and a "Day book" and a duplicate of the latter, in which is taken a receipt, on the deed being delivered to the party entitled. The immediate delivery of the deed as suggested would obviate the necessity for this duplicate, and it might be considered whether the day sheet might not be a little amplified and embrace the objects of "Day sheet" and "Day book," and its being printed, is a subject deserving of consideration.

8. The less matter an index contains save what is necessary to enable accurate reference to the object searched for the greater the facility for search will be.

The following plan of a "Names Index" appears simple and sufficient:—

1880.	THOMPSON.	1880
Christian Name of Grantor whose execution of the Deed has been proved.	Volume of the Year and number of the Abstract.	County or City, &c., in which the Lands affected are situate.
John,	3, 27	Louth,
Charles,	5, 17	Downpatrick, . .
Thomas,	9, 40	Kilkeany,
		Leave. Mortgage. Settlement.

9. Great advantages would arise from printing annually the indices in dictionary order, and probably also in printing a quinquennial or decennial consolidated Index.

10. Concurrently with the daily work the Names Index might be arranged, and at the close of the year it should be so far complete as to enable its being given to the printer, within a fortnight any number of copies might be available for purposes of the office, &c.

11. It is deserving of consideration whether copies of the indices when in print should not be deposited for purposes of search in the District Registries or in the offices of the Clerks of the Peace through Ireland, official searches continuing to be made as heretofore. Convenience would arise from the distribution suggested, and a suitable fee for inspection would indemnify against expense.

12. The "Lands Index" might conveniently be compiled from the certified copy of the abstract on the following plan—

1880	BLACKACRE.	1880
BARONY OF DULEEK, Co. LOUTH.		
O. Sheet 55.		

Name of Grantor whose execution of the Deed has been proved.	Volume of the Year and number of the Abstract.	Nature of the Instru- ment as "Mortgage," "Settlement," &c.
Thompson, John,	4, 50	Mortgage.
Chapman Charles,	5, 30	Settlement.
Smith, John,	3, 140	Lease.

13. The Ordnance Survey Maps being approved as the basis for registration, it would appear in harmony with the recommendation that they should be, as already suggested by Mr. Lane (our Secretary), the basis of the Lands Index in substitution for the existing by Baronial division. In the County Cork there are some 145 Ordnance sheets, each representing a similar area, viz., six miles by four. The Lands Index for Cork might consist of three volumes, one including sheets 1 to 50, a second 50 to 100, a third the remaining sheets—to each volume should be a sub-index with the townland, the sheet and the page of the index in which appears the townland.

14. Referring to the suggestion that the indices when printed should be deposited

in local offices, a similar rule might be applied to the abstracts, if it should be held desirable to print them.

15. The classification of clerks is a very important subject for consideration. In other branches of the service two classes exist, why should not a similar rule prevail in the Registry of Deeds Department?

The following scheme would appear reasonable—

10 first class clerks, £300 to £450 by annual increments of £15.

50 second class, £150 to £300 by annual increments of £10.*

Promotions from the second class to the first to be as of course, unless good cause to the contrary should exist.

Vacancies in the second class to be supplied from the ranks of the Playfair clerks.

16. That the original abstract should be written on parchment with the affidavit verifying the execution of the instrument at foot as is now the practice in the case of memorials.

17. That in the affidavit verifying the execution of the instrument, it should not be requisite to depose to the hour of registry, or to the delivery of the instrument and abstract to the Registrar.

18. That the priority of registry should be regulated by the number of the abstract.

19. That the duplicate abstract should be written on paper, certified as a correct copy by the party registering, and should not include the affidavit verifying the execution of the instrument.

20. That the duplicate abstracts should each day be printed, the proofs examined against the original abstracts, the requisite number of prints to be available on the day but one following the day of registry. Thus, of instruments registered on Monday, the abstracts should be available for public use in the office on Wednesday.

21. That abstracts in tabulated form would increase liability to error, cause delay in printing, require more space and increase expense, whilst their being prepared in continuous or ordinary form would tend to simplicity and convenience, and equally well meet the requirement.

22. With regard to the column for grantors whose execution of the instrument has not been proved:—The general object of search is to ascertain whether a particular person has executed an instrument to affect land. A, B, C, D are grantors, the execution of the instrument by A only is proved, as against the others, according to the recommendations of the commissioners, the deed is unregistered. An index search shows the execution by A; reference to the abstract discloses that B, C, D are parties. If material to the searcher, reference to the index will likewise show him if their execution of the instrument has been proved. The index returning the name gives the searcher the clue to the information sought, and it appears unnecessary to add to it by the distinctive column proposed. Its introduction will increase liability to inaccuracy.

23. Including in the abstract, townlands not appearing on the Ordnance Survey will tend to defeat a main object of the present inquiry by perpetuating the old denominations and their multitudinous aliases. It will make parties less careful and accurate in search for purposes of identification in the Ordnance index and maps, and will increase the liability to error in framing the abstracts. Questions may arise as to the legal operation and effect of the practice. Reason may exist for including in the instrument, for purposes of identification or explanation, denominations and aliases not appearing in the Ordnance Survey: but query, do they (having regard to the third and fourth recommendations in our first Report, p. xlv.), extend to their introduction into the proposed abstracts.

24. Circulating prints of indices and abstracts amongst the local registries would facilitate searching, reduce the cost of official searches, and the staff which it is necessary to maintain to make them.

25. A uniform rate of duty denoted by impressed stamp on each original abstract would facilitate registry and reduce the labour of the department.

26. That the books to be provided for the "Names Index" shall be ruled in columns, with the following headings:—(1.) Christian name of the Grantor, whose execution of the deed has been proved. (2.) Volume of the Year and number of the Abstract. (3.) County, City, or Town in which the premises are situated.

* N.B.—This scheme is intended to apply to new appointments only. As to the existing officials their case should be individually considered, and where the circumstances equitably and fairly justified in their positions should be improved either by increase of salary or acceleration of increment. I believe this matter capable of easy adjustment, and I am convinced that any scheme of re-organization in which this principle is overlooked, will contain within it elements likely to be productive of grumbling and discontent, which will greatly impede beneficial results.

- (a.) That the Abstracts proposed to be substituted for the present memorials shall be printed from day to day, and bound up in volumes at the end of the current year.
- (b.) That the "Names Index" shall be printed in dictionary order, subject to proper arrangements insuring that the volume for the preceding year should be available for public use early in the year which succeeds.
- (c.) That the "Lands Index" shall be printed and made available for public use at the same time as the "Names Index."

28. That facility for search and convenience would result from the printed Abstracts and Indexes being distributed; e.g., that copies should be deposited for public use—subject to the payment of a suitable fee—in the District Registry or office of the Clerk of the Peace in each county.

29. That from the "Lands Index" recommended by our first report (pp. xl.) there may with advantage be omitted the "date of registration," "the date of the instrument," and "the general nature of the instrument."

30. That as it is proposed priority of registry should be regulated by the number of the Abstract, the statement of the hour of registry, and delivery of the Abstract to the officer now required, should be omitted from the affidavit of its verification.

31. That the affidavit in verification of an Abstract when taken at the Dublin office should be administered orally, as is now the practice in the Registry at Wakefield, in Yorkshire.

32. That the books in present use are cumbersome and expensive, and that whether the system of printing Abstracts and Indexes be adopted or not a smaller size of book will result in convenience and economy; and that the substitution of paper for parchment books would help to remove some of the complaints as to the healthfulness of the office.

33. That the adoption of a uniform rate of duty to be charged on every instrument registered—impressed upon the original abstract before its delivery to the officer for registration—would greatly facilitate the operation of registry.

EXTRACT FROM THE PRINTED INDEX OF NAMES IN THE REGISTRAR-GENERAL'S OFFICE REFERRED TO BY MR. ARMSTRONG, *Supra* p. xxviii.

INDEX to DEATHS REGISTERED in IRELAND during the Quarter ending 30th June, 1879.

MAL—M'AL]

NOTE.—Under One Year of Age marked thus (B)—Age not given, thus (—).

Name, Age, and Registration District	Vol.	Page	Name, Age, and Registration District	Vol.	Page
MANNON, John. 60. Dublin, South.....	2	794	MANNON, Anne. 9. Dundalk.....	2	743
— John. 40. Kinsale.....	3	317	— Catherine. 74. Castletown.....	1	861
— John. 64. Dublin, South.....	2	723	— Ellen. 39. Carrickmacross.....	2	371
— Margaret. 83. Trim.....	3	939	— Mary Anne. 7. Castletown.....	1	361
— Margaret. 44. Waterford.....	4	574	— Patrick James. 60. Drogheda.....	2	413
— Maria. 6. Bandon.....	3	452	— Peter. 45. Carrickmacross.....	2	367
— Martha. 6. Dublin, North.....	2	480	— Rose. 51. Carrickmacross.....	2	373
— Mary. 40. Antrim.....	1	62	— Terence. 78. Carrickmacross.....	2	376
— Michael. 83. Scariff.....	4	343	— Thomas. 70. Carrickmacross.....	2	402
— Michael. 74. Callan.....	4	443	— Walter, Matthew. 71. Drogheda.....	5	119
— Michael. 80. Scariff.....	4	343	— William, Anne. 68. Coothill.....	1	327
— Michael. 70. Rathdown.....	2	837	— Eliza. 80. Newmarket.....	1	429
— Owen. 26. Scariff.....	4	347	— Hannah. 50. Drogheda.....	1	163
— Patrick. 77. Trim.....	3	930	— Isiah. 68. Barbridge.....	1	459
— Rose. 70. Mountmellick.....	3	460	— James. 68. Downpatrick.....	1	83
— William. 6. Dublin, North.....	2	326	— John. 0. Ballynase.....	1	870
			— John. 25. Newry.....	1	870

Size of Books 17½ in. x 11 in.

TABLE OF AGRICULTURE.

Year and Month of Completion of Survey, and Name of the Surveyor.	Name of the Surveyor.	Name of the Surveyor.		Name of the Surveyor.	Name of the Surveyor.	Name of the Surveyor.	Name of the Surveyor.	Name of the Surveyor.	Name of the Surveyor.
		Surveyor.	Surveyor.						
1876, 12. 2. T. H. H. H.	1876, 12. 2. H. H.	Surveyor, R. H. Smith, Thomas Johnson, C.	Surveyor, D. James, H.	Surveyor, James Hickman, Wm. Hickman, P. Hickman, H.	Surveyor, Hickman, P.	1876, 12. 2. H. H.	Surveyor, R. H. Smith, Thomas Johnson, C.	Surveyor, D. James, H.	Surveyor, James Hickman, Wm. Hickman, P. Hickman, H.
1876, 12. 2. T. H. H. H.	1876, 12. 2. H. H.	Surveyor, R. H. Smith, Thomas Johnson, C.	Surveyor, D. James, H.	Surveyor, James Hickman, Wm. Hickman, P. Hickman, H.	Surveyor, Hickman, P.	1876, 12. 2. H. H.	Surveyor, R. H. Smith, Thomas Johnson, C.	Surveyor, D. James, H.	Surveyor, James Hickman, Wm. Hickman, P. Hickman, H.
1876, 12. 2. T. H. H. H.	1876, 12. 2. H. H.	Surveyor, R. H. Smith, Thomas Johnson, C.	Surveyor, D. James, H.	Surveyor, James Hickman, Wm. Hickman, P. Hickman, H.	Surveyor, Hickman, P.	1876, 12. 2. H. H.	Surveyor, R. H. Smith, Thomas Johnson, C.	Surveyor, D. James, H.	Surveyor, James Hickman, Wm. Hickman, P. Hickman, H.

There are many more than you would expect.

[illegible]

^aThe names of features attached directly onto the existing structure are shown in bold.

NAMES INDEX.

BROWN.

1876.

Christian Name of Grantor whose Execution of the Deed has been proved.	Volume of the Year, and Number of the Abstract.	County or City in which the Lands affected are situate.
John, . . .	52. 9.	Co. Mayo.
John, . . .	52. 10.	Co. Mayo.
William, . . .	52. 10.	Co. Mayo.

EDWARDS.

1876.

Harry George, .	52. 8.	Cos. Leitrim, Roscommon, Gal- way, Clare, King's County.
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JOHNSTON.

1876.

Charles, . . .	52. 8.	Cos. Leitrim, Roscommon, Gal- way, Clare, King's County.
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JONES.

1876.

Jane, . . .	52. 9.	Co. Mayo.
Charles James, .	52. 9.	Co. Mayo.
Charles James, .	52. 10.	Co. Mayo.
William, . . .	52. 10.	Co. Mayo.

ROBINSON.

1876.

Christian Name of Grantor when Execution of the Deed has been proved.	Volume of the Year, and Number of the Abstract.	County or City in which the Lands affected are situate.
William, . . .	52. 9.	Co. Mayo.

SMITH.

1876.

Thomas, . . .	52. 8.	Cos. Leitrim, Roscommon, Gal- way, Clare, King's County.
John, . . .	52. 11.	Co. Tipperary.

STANDISH.

1876.

William, . . .	52. 12.	Co. Tipperary.
John, . . .	52. 12.	Co. Tipperary.

LANDS INDEX.

CO. CLARE.

KILLOWEN.

Folio 2.

Year and Day of Registration, Volume of the Title, and Number of the Abstract.	DATE OF the Instrument.	Names of Grantees.		Names of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settle- ment, Mortgage, or Absolute Conveyance.	County and Barony, or City or Town, and Parish, in which the Premises are situate.
		GRANTEES whose Executions proved.	GRANTEES whose Executions not proved.			
1876. 52. 8. 11th Nov.	1875. 8th Nov.	Edwards, H. G. Smith, Thomas. Johnston, C.	Williams, G. Jones, R.	Simpson, James, and others.	Mortgage.	Bo. Clonsilla, Co. Clare.

KILFIDDANE.

Folio 3.

Year and Day of Registration, Volume of the Title, and Number of the Abstract.	DATE OF the Instrument.	Names of Grantees.		Names of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settle- ment, Mortgage, or Absolute Conveyance.	County and Barony, or City or Town, and Parish, in which the Premises are situate.
		GRANTEES whose Executions proved.	GRANTEES whose Executions not proved.			
1876. 52. 8. 11th Nov.	1875. 8th Nov.	Edwards, H. G. Smith, Thomas. Johnston, C.	Williams, G. Jones, R.	Simpson, James, and others.	Mortgage.	Bo. Clonsilla, Co. Clare.

KILCHREEST.

Folio 4.

Year and Day of Registering, Volume of the Year, and Number of the Abstract.	DATE OF the Instrument	Names of Grantees.		Names of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance.	County and Borough, or City or Town, and Parish, in which the Premises are situate.
		Grantees whose Execution proved.	Grantees whose Execution not proved.			
1876, 52. 8. 11th Nov.	1875. 8th Nov.	Edwards, H. G. Smith, Thomas. Johnston, C.	Williams, G. Jones, R.	Simpson, James, and others.	Mortgage.	Ba. Clonsillaue, Co. Clare.

KILLOFIN.

Folio 5.

Year and Day of Registering, Volume of the Year, and Number of the Abstract.	DATE OF the Instrument	Names of Grantees.		Names of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance.	County and Borough, or City or Town, and Parish, in which the Premises are situate.
		Grantees whose Execution proved.	Grantees whose Execution not proved.			
1876, 52. 8 11th Nov.	1875. 8th Nov.	Edwards, H. G. Smith, Thomas. Johnston, C.	Williams, G. Jones, R.	Simpson, James, and others.	Mortgage.	Ba. Clonsillaue, Co. Clare.

Folio 6.

Year and Day of Registering, Volume of the Year, and Number of the Abstract.	DATE OF the Instrument	Names of Grantees.		Names of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance.	County and Borough, or City or Town, and Parish, in which the Premises are situate.
		Grantees whose Execution proved.	Grantees whose Execution not proved.			

LANDS INDEX.

CO. GALWAY.

DUNKELLIN.

Folio 2.

Year and Day of Registration, Volume of the Year, and Number of the Abstract.	DATE OF the Instrument	Names of Grantors.		Names of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance.	County and Name, or City or Town, and Parish, in which the Premises are situate.
		Grantors whose Execution proved.	Grantors whose Execution not proved.			
1876. 52. 8. 11th Nov.	1875. 8th Nov.	Edwards, H. G. Smith, Thomas. Johnston, G.	Williams, G. Jones, R.	Simpson, James, and others.	Mortgage.	Co. Dunkellin, Co. Galway.

CASTLEGAR.

Folio 3.

Year and Day of Registration, Volume of the Year, and Number of the Abstract.	DATE OF the Instrument	Names of Grantors.		Names of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance.	County and Name, or City or Town, and Parish, in which the Premises are situate.
		Grantors whose Execution proved.	Grantors whose Execution not proved.			
1876. 52. 8. 11th Nov.	1875. 8th Nov.	Edwards, H. G. Smith, Thomas. Johnston, G.	Williams, G. Jones, R.	Simpson, James, and others.	Mortgage.	Co. Dunkellin, Co. Galway.

BALLINABRICKLY.

Folio 4.

Year and Day of Registering, Volume of the Treaty, and Number of the Abstract.	Date of the Instrument.	Names of Grantees.		Names of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settle- ment, Mortgage, or Absolute Conveyance.	County and Barony, or City or Town, and Parish, in which the Premises are situate.
		Grantees whose Execution proved.	Grantees whose Execution not proved.			
1876. 52. 8. 11th Nov.	1875. 5th Nov.	Edwards, H. G. Smith, Thomas. Johnston, C.	Williams, James, R.	Simpson, James, and others.	Mortgage.	Bo. Dunkellin. Co. Galway.

DUNKELLIN BRIDGE.

Folio 5.

Year and Day of Registering, Volume of the Treaty, and Number of the Abstract.	Date of the Instrument.	Names of Grantees.		Names of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settle- ment, Mortgage, or Absolute Conveyance.	County and Barony, or City or Town, and Parish, in which the Premises are situate.
		Grantees whose Execution proved.	Grantees whose Execution not proved.			
1876. 52. 8. 11th Nov.	1875. 8th Nov.	Edwards, H. G. Smith, Thomas. Johnston, C.	Williams, G. Jones, R.	Simpson, James, and others.	Mortgage.	Bo. Dunkellin. Co. Galway.

CLONTUSKERT.

Folio 6.

Year and Day of Registering, Volume of the Treaty, and Number of the Abstract.	Date of the Instrument.	Names of Grantees.		Names of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settle- ment, Mortgage, or Absolute Conveyance.	County and Barony, or (City) or Town, and Parish, in which the Premises are situate.
		Grantees whose Execution proved.	Grantees whose Execution not proved.			
1876. 52. 8. 11th Nov.	1875. 8th Nov.	Edwards, H. G. Smith, Thomas. Johnston, C.	Williams, G. Jones, R.	Simpson, James, and others.	Mortgage.	Bo. Clontarfdown. Co. Galway.

LANDS INDEX.

CO. ROSCOMMON.

PORTRUNKY.

Folio 3.

Year and Day of Enfranchising, Volume of the Year, and Number of the Abstract.	DATE OF the Instrument	Names of Grantees.		Names of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settle- ment, Mortgage, or Absolute Conveyance.	County and Town, or City or Town, and Parish, in which the Premises are situate.
		GRANTEES whose Executions proved.	GRANTEES whose Executions not proved.			
1870. 52. 8. 11th Nov.	1875. 8th Nov.	Edwards, H. G. Smith, Thomas Johnston, C.	Williams, G. Jones, R.	Simpson, James, and others.	Mortgage.	Do Athlone, Co. Roscommon.

BURLIN.

Folio 3.

Year and Day of Enfranchising, Volume of the Year, and Number of the Abstract.	DATE OF the Instrument	Names of Grantees.		Names of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settle- ment, Mortgage, or Absolute Conveyance.	County and Town, or City or Town, and Parish, in which the Premises are situate.
		GRANTEES whose Executions proved.	GRANTEES whose Executions not proved.			
1870. 52. 8. 11th Nov.	1875. 8th Nov.	Edwards, H. G. Smith, Thomas Johnston, C.	Williams, G. Jones, R.	Simpson, James, and others.	Mortgage.	Do Roscommon, Co. Roscommon.

KILGEFIN.

Folio 4.

Year and Day of Registering, Volume of the Title, and Number of the Abstract.	Date of the Instrument.	Names of Grantees.		Names of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance.	County and Borough, or City or Town, and Parish, in which the Premises are situate.
		Grantees whose Execution proved.	Grantees whose Execution not proved.			
1875, 52, 8. 11th Nov.	1875. 8th Nov.	Edwards, H. G. Smith, Thomas. Johnston, C.	Williams, G. Jones, R.	Simpson, James, and others.	Mortgage.	Bo. Ballinaboy, S. Co. Roscommon.

CLOONPINLOUGH.

Folio 5.

Year and Day of Registering, Volume of the Title, and Number of the Abstract.	Date of the Instrument.	Names of Grantees.		Names of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance.	County and Borough, or City or Town, and Parish, in which the Premises are situate.
		Grantees whose Execution proved.	Grantees whose Execution not proved.			
1876, 52, 8. 11th Nov.	1875. 8th Nov.	Edwards, H. G. Smith, Thomas. Johnston, C.	Williams, G. Jones, R.	Simpson, James, and others.	Mortgage.	Bo. Roscommon, Co. Roscommon.

KILGLASS.

Folio 6.

Year and Day of Registering, Volume of the Title, and Number of the Abstract.	Date of the Instrument.	Names of Grantees.		Names of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance.	County and Borough, or City or Town, and Parish, in which the Premises are situate.
		Grantees whose Execution proved.	Grantees whose Execution not proved.			
1876, 52, 8. 11th Nov.	1875. 8th Nov.	Edwards, H. G. Smith, Thomas. Johnston, C.	Williams, G. Jones, R.	Simpson, James, and others.	Mortgage.	Bo. Ballinaboy, N. Co. Roscommon.

LANDS INDEX.

CO MAYO.

CULTIBOE (UPPER AND LOWER).

Folio 2.

Year and Day of Registration, Volume of the Year, and Number of the Abstract.	DATE OF the Instrument	Names of Grantees.		Status of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage, Endow- ment, Mortgage, or Absolute Conveyance	County and Town, or City or Town, and Parish, in which the Premises are situate
		GRANTEES whose Execution proved.	GRANTEES whose Execution not proved.			
1876. 52. 11th Nov., 9.	1876. 5th Sept.	Brown, John. Jones, Jane. Jones, Charles J. Robinson, W.	Telford, Thomas. Smith, F.	Rogan, H. Burrell, William. Bright, F.	Postpone- ment of charge.	Co. Clonmoris, Co. Mayo.
1876. 52. 11th Nov., 10.	1876. 5th Sept.	Jones, Charles J. Jones, William. Brown, John. Brown, William.	Lynch, Henry. Wood, J. J. Green, G.	Jenkins, W. Bills, Thomas. Baskins, H.	Release.	Co. Clonmoris, Co. Mayo.

BALLINPHUILL.

Folio 3.

Year and Day of Registration, Volume of the Year, and Number of the Abstract.	DATE OF the Instrument	Names of Grantees.		Status of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage, Endow- ment, Mortgage, or Absolute Conveyance	County and Town, or City or Town, and Parish, in which the Premises are situate
		GRANTEES whose Execution proved.	GRANTEES whose Execution not proved.			
1876. 52. 11th Nov., 9.	1876. 5th Sept.	Brown, John. Jones, Jane. Jones, Charles J. Robinson, W.	Telford, Thomas. Smith, F.	Rogan, H. Burrell, William. Bright, F.	Postpone- ment of charge.	Co. Clonmoris, Co. Mayo.
1876. 52. 11th Nov., 10.	1876. 5th Sept.	Jones, Charles J. Jones, William. Brown, John. Brown, William.	Lynch, Henry. Wood, J. J. Green, G.	Jenkins, William. Bills, Thomas. Baskins, H.	Release.	Co. Clonmoris, Co. Mayo.

MACE (UPPER, LOWER, AND MIDDLE).

Folio 4.

Year and Day of Registering. Volume of the Year, and Number of the Abstract.	DATE OF the Instrument	Names of Creditors.		Names of one or more Creditors.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance.	County and Borough, or City or Town, and Parish, in which the Premises are situate.
		GRANTORS whose Executions proved.	GRANTORS whose Executions not proved.			
1876. 52. 11th Nov., 9.	1876. 5th Sept.	Brown, John. Jones, Jane. Jones, Charles J. Robinson, W.	Telford, Thomas. Smith, F.	Rogan, H. Burrell, William. Bright, F.	Postponement of charge.	Be. Clannorris, Co. Mayo.
1876. 52. 11th Nov., 10.	1876. 5th Sept.	Jones, Charles J. Jones, William. Brown, John. Brown, William.	Lynch, Henry. Wood, J. J. Green, G.	Jenkins, W. Bills, Thomas. Erskine, H.	Release.	Be. Clannorris, Co. Mayo.

CLOONMORE (UPPER AND LOWER).

Folio 5.

Year and Day of Registering. Volume of the Year, and Number of the Abstract.	DATE OF the Instrument	Names of Creditors.		Names of one or more Creditors.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance.	County and Borough, or City or Town, and Parish, in which the Premises are situate.
		GRANTORS whose Executions proved.	GRANTORS whose Executions not proved.			
1876. 52. 11th Nov., 9.	1876. 5th Sept.	Brown, John. Jones, Jane. Jones, Charles J. Robinson, W.	Telford, Thomas. Smith, F.	Rogan, H. Burrell, William. Bright, F.	Postponement of charge.	Be. Clannorris, Co. Mayo.
1876. 52. 11th Nov., 10.	1876. 5th Sept.	Jones, Charles J. Jones, William. Brown, John. Brown, William.	Lynch, Henry. Wood, J. J. Green, G.	Jenkins, William. Bills, Thomas. Erskine, H.	Release.	Be. Clannorris, Co. Mayo.

MURNEEN (NORTH AND SOUTH).

Folio 6.

Year and Day of Registering. Volume of the Year, and Number of the Abstract.	DATE OF the Instrument	Names of Creditors.		Names of one or more Creditors.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance.	County and Borough, or City or Town, and Parish, in which the Premises are situate.
		GRANTORS whose Executions proved.	GRANTORS whose Executions not proved.			
1876. 52. 11th Nov., 9.	1876. 5th Sept.	Brown, John. Jones, Jane. Jones, Charles J. Robinson, W.	Telford, Thomas. Smith, F.	Rogan, H. Burrell, William. Bright, F.	Postponement of charge.	Be. Clannorris, Co. Mayo.
1876. 52. 11th Nov., 10.	1876. 5th Sept.	Jones, Charles J. Jones, William. Brown, John. Brown, William.	Lynch, Henry. Wood, J. J. Green, G.	Jenkins, William. Bills, Thomas. Erskine, H.	Release.	Be. Clannorris, Co. Mayo.

LANDS INDEX.

CO. LEITRIM.

DRUMRISTIN.

Folio 2.

Year and Day of Registering. Volume of the Year, and Number of the Abstract.	Date of the Instrument	Names of Grantors		Names of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settle- ment, Mortgage, or Absolute Conveyance.	County and Barony, or City or Town, and Parish, in which the Premises are situate.
		Grantors whose Execution proved.	Grantors whose Execution not proved.			
1874. 32, 8, 11th Nov.	1875. 8th Nov.	Edwards, H. G. Smith, Thomas. Johnston, C.	Williams, G. Jones, R.	Singmon, James, and others.	Mortgage.	Co. Drumshole, Co. Leitrim.

Folio 3.

Year and Day of Registering. Volume of the Year, and Number of the Abstract.	Date of the Instrument	Names of Grantors		Names of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settle- ment, Mortgage, or Absolute Conveyance.	County and Barony, or City or Town, and Parish, in which the Premises are situate.
		Grantors whose Execution proved.	Grantors whose Execution not proved.			

Folio 4.

Year and Day of Registering, Volume of the Year, and Number of the Abstract	DATE OF the Instrument	Names of Grantees		Names of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance	County and Parish, or City or Town, and Parish, in which the Premises are situate.
		Grantees whose Execution proved.	Grantees whose Execution not proved.			

Folio 5.

Year and Day of Registering, Volume of the Year, and Number of the Abstract	DATE OF the Instrument	Names of Grantees.		Names of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance.	County and Parish, or City or Town, and Parish, in which the Premises are situate.
		Grantees whose Execution proved.	Grantees whose Execution not proved.			

Folio 6.

Year and Day of Registering, Volume of the Year, and Number of the Abstract	DATE OF the Instrument	Names of Grantees.		Names of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance.	County and Parish, or City or Town, and Parish, in which the Premises are situate.
		Grantees whose Execution proved.	Grantees whose Execution not proved.			

LANDS INDEX.

CO. TIPPERARY.

MONROE.

Folio 2.

Year and Day of Registering, Volume of the Year, and Number of the Abstract.	DATE of the Instrument	Names of Grantors.		Name of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance.	County and Barony, or City or Town, and Parish, in which the Premises are situate.
		GRANTORS whose Execution proved.	GRANTORS whose Execution not proved.			
1870. 52. 11. 11th Nov.	1870. 1st Nov.	Smith, John.	Macalister, Robt.	Williams, Edward.	Conveyance.	Bo. Middlethird, Co. Tipperary.

DOON.

Folio 3.

Year and Day of Registering, Volume of the Year, and Number of the Abstract.	DATE of the Instrument	Names of Grantors.		Name of one or more Grantees.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance.	County and Barony, or City or Town, and Parish, in which the Premises are situate.
		GRANTORS whose Execution proved.	GRANTORS whose Execution not proved.			
1870. 52. 12. 11th Nov.	1870. 28th Oct.	Standish, William. Standish, John.	Webber, James.	Bolton, R. Shaw, A.	Conveyance and appointment.	Bo. Ifa and Offa East, Co. Tipperary.

**APPENDIX,
MOORTOWN.**

91

Folio 4.

Year and Day of Registering, Volume of the Book, and Number of the Abstract.	Date of the Instrument.	Names of Grantees.		Names of one or more Grantors.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance.	County and Manors, or City, or Town, and Parish, in which the Premises are situate.
		Grantees whose Execution proved.	Grantees whose Execution not proved.			
1876, 52, 13. 11th Nov.	1876, 28th Oct.	Scandish, William. Scandish, John.	Webster, James.	Belton, R. Shaw, A.	Conveyance and appointment.	Co. Linc. and Offs. East. Co. Tipperary.

Folio 5.

Year and Day of Registering, Volume of the Book, and Number of the Abstract.	Date of the Instrument.	Names of Grantees.		Names of one or more Grantors.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance.	County and Manors, or City, or Town, and Parish, in which the Premises are situate.
		Grantees whose Execution proved.	Grantees whose Execution not proved.			

Folio 6.

Year and Day of Registering, Volume of the Book, and Number of the Abstract.	Date of the Instrument.	Names of Grantees.		Names of one or more Grantors.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance.	County and Manors, or City, or Town, and Parish, in which the Premises are situate.
		Grantees whose Execution proved.	Grantees whose Execution not proved.			

LANDS INDEX.

KING'S CO.

KILMUCKLIN.

Folio 2.

Year and Day of Registering, Volume of the Year, and Number of the Abstract.	Date of the Instrument.	Names of Grantees.		Names of one or more Grantors.	General nature of the Instrument, whether Trust, Mortgage Settlement, Exchange, or Absolute Conveyance.	County and Barony, or City or Town, and Parish, in which the Premises are situate.
		GRANTEES whose Executions proved.	GRANTEES whose Executions not proved.			
1876. 52. B. 11th Nov.	1875. 8th Nov.	Edwards, H. G. Smith, Thomas. Johnston, C.	Williams, G. Jones, R.	Simpson, James, and others.	Mortgage.	Br. Killeenney, King's Co.

Folio 3.

Year and Day of Registering, Volume of the Year, and Number of the Abstract.	Date of the Instrument.	Names of Grantees.		Names of one or more Grantors.	General nature of the Instrument, whether Trust, Mortgage Settlement, Exchange, or Absolute Conveyance.	County and Barony, or City or Town, and Parish, in which the Premises are situate.
		GRANTEES whose Executions proved.	GRANTEES whose Executions not proved.			

Folio 4.

Year and Day of Registering, Volume of the Year, and Number of the Abstract.	Date of the Instrument	Names of Grantees.		Names of one or more Grantors.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance.	County and Borough, or City or Town, and Parish, in which the Premises are situate.
		Grantees whose Execution proved.	Grantees whose Execution not proved.			

Folio 5.

Year and Day of Registering, Volume of the Year, and Number of the Abstract.	Date of the Instrument	Names of Grantees.		Names of one or more Grantors.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance.	County and Borough, or City or Town, and Parish, in which the Premises are situate.
		Grantees whose Execution proved.	Grantees whose Execution not proved.			

Folio 6.

Year and Day of Registering, Volume of the Year, and Number of the Abstract.	Date of the Instrument	Names of Grantees.		Names of one or more Grantors.	General nature of the Instrument, whether Trust, Marriage Settlement, Mortgage, or Absolute Conveyance.	County and Borough, or City or Town, and Parish, in which the Premises are situate.
		Grantees whose Execution proved.	Grantees whose Execution not proved.			

PLAN FOR THE NUMERICAL REGISTRATION OF ASSURANCES, BY R. J. LANR, Q.C.
(SECRETARY), SUBMITTED TO THE COMMISSIONERS AND PRINTED AT THEIR
REQUEST. (*See Postscript, infra p. 46.*)

In complying with the request made by the Commissioners some time since that I would have printed for their consideration a plan for Registration of Assurances, which has for some time engaged my attention, I have availed myself of the extended duration of the Commission to bring it forward more in detail than the time would otherwise have permitted me to do, though even yet it is not as complete as I would wish. It is one differing from any hitherto suggested in the course of their inquiries, but the principle of it has been recognized and used extensively, not only abroad, but in this country, and even in the Registry of Deeds Office. It, therefore, can scarcely be said to be new, but the application of the principle to the present system has not I think been before suggested by anyone, while the hooks and documents necessary to carry it out—though not identical with—are in most respects the same as those prepared by me many years since, though never before made public, and the favourable opinion of some of them, expressed by members of the Commission, when shown them lately, has induced me to complete the plan as far as I could.

The system which I propose is (as that recommended by the Commissioners' first Report), based upon the Ordnance Survey, and the Townlands thereon, for wherever a general map published with authority exists, as in the Colonies; it with its subdivisions, has been made, and with success, the basis of Registration. In all the inquiries respecting Registration, such a map has been considered the desideratum, and from the fact of the Ordnance Survey having been completed in Ireland, this country has been more than once referred to as being suited for a registry founded on it. To the proposal to use it, and to register by the Townlands as there named or delineated objections are of course to be expected. Similar objections will be always made to the change of any course which parties have pursued for a long period of time, and it would be easy to show that in the present instance, as in others, the objections arise either from want of knowledge or insufficient consideration of the extent or nature of the change proposed, or of the means at hand to meet the objections. For the present, however, I pass these objections, agreeing as I do with the first Report in the adoption of the Ordnance Survey as the basis of Registration, though doing so in a different way and to a greater extent.

In considering the question of the Registration of Deeds, it appears to me that two Units are confounded together, and indifferently spoken of as "the Unit of Registration." They are what I call "the Unit of Registration" and "the Unit of Description." They may be (as they are in the plan under consideration by the Commissioners) identical, but they are not necessarily so. What I call the "Unit of Registration" is, so to speak, solely an Office Unit, being the Smallest Legal Division of the Lands Index, in which searches are prescribed to be made. Thus at present "the Barony," for though the Barony books are sub-divided into names arranged according to the letters of the alphabet, it would be unsafe in general to rely upon a search in this Index upon any name of the land alone, nor, indeed (in consequence of defect in legislation) would it be safe to rely on a Search against a Barony alone.

By "the Unit of description," I mean the smallest division of land which is required to be mentioned in the memorial for registry, being at present what is found in the Alphabetical Index to the Baronies of Names of Lands called in one part of the legislation, "the name and description of the premises," and in another, "the denomination of lands." Both of these, under the existing legislation, are worthless. It is probable, I may almost say certain, that it was the intention that these names and descriptions should have some value (as some of the evidence shows they are supposed to have), but whilst what is to-day called Carrigeen, may to-morrow be called Sunay-hill, and be afterwards sub-divided into Lakeview, Rose Lodge, and Maryville, and if registered by any of those names, or any other, the Registry is for all purposes good, these names are worthless, for a search for acts by A.B. to affect Carrigeen only, cannot safely be trusted, and therefore every act done by A.B. not only relating to lands in the Barony but (from the construction given to the statutes) in the county must be investigated. The identity of the lands, however, is to be discovered only from the

deeds, and the Barony, if it can properly be called an Unit, is therefore as well the Unit of Description as of Registration. Some of the Baronies extend in area to over 300,000 acres, or about twenty sheets of the Ordnance Survey, so that a needless extent of search is thus required for security in such a case. Whilst, however, the Barony Division is too large for the "Unit of Registration," it appears to me, as has been suggested by Mr. Day (and it is a purely practical office question), that the Townland, though quite proper for the "Unit of Description," is too small, or, in other words, the names of the Townlands are too numerous (63,000), for the "Unit of Registration." Keeping clear of both extremes, I with the Commissioners adopt as the Unit of description (but in a manner a little different from them), the Townlands as given on the Ordnance Survey, recognizing for Registry purposes those divisions only, and by excluding all others from the Books, getting rid of the clog of innumerable aliases. I, however, take for the Unit of Registration instead of Baronies the Sheets of the Ordnance Survey for each county, thereby reducing the size of the division of the book necessary to be searched in the proportion of 315 to 1,907, or to about one-sixth of the area of the present Baronial Index. In addition I propose to introduce into the Registry of Deeds what has been adopted for years in every other case where indexing of land, and its identification is required, and what is and has been for years (indeed from its commencement) in use to a considerable extent, even in this office, viz.: "A Numerical Registry," or a Registry by numbers shown on a map or plan, or by an Index. That it has not been long ago used in reference to this office may, perhaps, be accounted for—apart from prejudice—first, by the fact that it could not be adopted until there was a general map, such as the Ordnance Survey, and that it was legalized as the basis of registration, and, secondly, that the description given in deeds of the lands by names not on the Survey, the aliases used, and the change of names from time to time rendered such a system without legislation quite impossible to be worked. Taking, the Townlands, as given on the Ordnance Map, as the "Unit of Description" in deeds and memorials, the Sheets give clearly the name and boundaries of the land included in each, enable it to be as well, much easier, and more briefly, described by a figure than by a name (particularly where there are several), and enable the figure to be substituted for the name, as the sub-unit of sheet registration: thus taking, but in a different way from the Commissioners, the same division of land, namely, the Townland as the lowest unit to be put in the books and leaving to be ascertained by the deed what portion of land within the Townland or number is included in it, for I believe that experience will prove that any registry which professes to give separately the dealings with every small subdivision of land, or every house or part of a house will in time become unworkable from its extent, and hence I think that the system lately on trial in Scotland of "Search Sheets," or registry by names of persons, and of the smallest plots of lands and portions of houses, will become more cumbersome than our system has done, even with the number of aliases and mis—and improper—description of lands, and I say this without taking into account the effect produced upon any such system by constant variations in the description of the same lands so much complained of, and with which every legal man in this country must be quite familiar.

The system of numerical registration was brought under my consideration some years since by some pamphlets advocating it sent me by Mr. Kelly, then the Registrar of Deeds in Auckland, New Zealand, but as he proposed to register not by any fixed unit but by an unit from time to time to be divided and sub-divided indefinitely, I thought that, as soon as the business of the country and the consequent transfers of land increased, it could not, for the same reason which I have given with respect to the Scottish Search Sheets, be conveniently carried out.

The system which I propose will doubtless startle those who have not recognized its adoption hitherto in the every day business of the country, and who looking upon it as a novelty will scarcely believe that it is, as will be seen hereafter in operation in the Registry of Deeds Office since its institution without inconvenience being felt, complaint made, or mistake caused by it.

Going, however, behind the institution of that office to the Down Survey, which—like the Ordnance Survey, is a public general survey made upon the same scale as the larger Ordnance Survey Maps—I can say from my own experience is, in tracing old titles or grants, an invaluable document; if any one who is ignorant of its arrangement will examine it he will find that every plot is distinguished by a number or letter on the Survey map, and that to each sheet or map is attached an index referring to those numbers, not very different from what I hereafter propose.

But, again, taking the common practice of some of the largest estates, is it not every day's experience that there is an estate map divided into lots which are numbered, and the estate lettings are made and accounts kept by this map, with reference to these numbers, as the most convenient plan which can be adopted?

Turn from these to the maps for public purposes with which we are so familiar. In road maps, railway maps, and all parliamentary maps, the plots and lots are all designated by numbers or letters, as the most convenient and simplest mode of reference.

Look at the maps by which estates are sold in the Landed Estates Court—they are all Ordnance Survey maps with the lots numbered.

Take another set of public maps, viz., those made by the Commissioners of Valuation, the divisions on them are marked by numbers, while the sub-divisions of those numbers are designated by small letters.

Turning from these again to the Registry of Deeds Office the numerical system has been used there from its institution to the present time, without attracting attention or being complained of by either the public or the Office. Possibly few, when they have heard, as every one in Dublin must, of the North or South Lots, have considered this description with reference to Registry, or perhaps the meaning of it, but what is it? It relates to the Corporation Estates, of which a map was made and the ground was divided into lots which were numbered on it. By those numbers referring to this map, the lots were described in sales or leases, and by those numbers they were registered in the Registry of Deeds Office until streets, with names, were made on the ground. Such registries still exist. Searches were made in the early times against the lots, being the only way in which they could be made, according to number, constantly, and may, I have been told, still be had, but no more difficulty was or is found in indexing or searching against these lands by the numbers, than by the name of John-street, or any other name, by which they have since been called.

This is not all—I have referred to the practice of numbering maps for Railway purposes. It is a general and safe practice for the Railway Companies to take conveyances by referring to those maps, and to the numbers on them, and in that way the conveyances are registered and entered in the abstracts; and accordingly in the abstracts of a day's work received from the Registrar by the Commissioners the lands in the two last entries are, described in these words, under dates of 28th October, and 1st November, 1879—

Munroe, or Burgage Lands of Fethard on Piers No. 20, Ba. Middlethird, Co. Tipperary.
Doon or Doone, Nos. 1, 4, 5, 7, 8, 10, 6, 6¹/₂, 11, 12, 13, 14, 16, 19, 18 and 18¹/₂, on Plans;
Moortown or Moortown Walsh, Nos. 22, 24, and 26 on Plans, Ba. Ifa, and Offa East,
Co. Tipperary.

I got a copy of the latter Memorial from the office which shows how easily this description worked in and out of the Office in October last.

The Lands are in the memorial described as "The Lands and Premises in the Schedule mentioned," and the Schedule runs thus (*as far as it is necessary to give it*):—

Name of Lands.	County and Barony in which Land lies situate	Numbers on Plans deposited with the Clerk of the Peace for the County of Tipperary.
Doon alias Doone,	{ Tipperary, Barony of Ifa and Offa, East, }	1, 4, 5, 7, 8, 10, 6, 6 ¹ / ₂ ,
Moortown alias Moortown Walsh, .		11, 12, 13, 14, 16, 19, 18 ¹ / ₂ , and 18
	Same County and Barony,	22, 24, and 26

Thus bringing numerical description, and numerical registry to, I may say, the present day, showing the sanction of practice in registry to a numerical registration, and putting an end to objection against it on the ground of novelty or inconvenience.

Supposing these difficulties to be got over, the plan I propose will, I think, be found simple and workable, and I will now explain it from the commencement to the end.

Whilst I adopt, as I have said, the Ordnance Survey division of Townlands as the Unit of description, I reject it as the Unit of Registration, because, as I have said, I think it is too small a division for that purpose, and one which would therefore lead to unnecessary delay and trouble, both in making entries in the books, and in making searches. I may illustrate this by the first abstract which has been printed, in the printed form of the Abstract Book proposed by the Commissioners (*supra*, p. 6) it contains about twenty-nine Townlands, &c., and three names of Grantors. It must therefore be entered, according to their plan, thirty-two times independent of the entry in the Abstract Book, and allowing five minutes for each, which considering changes of books, &c., will not be I think too much: it will take at least two and a half hours to make the entries necessary for this deed, while when these premises are to be parted with, the searcher will be obliged to turn to each entry, perhaps in several different books, so that I doubt much whether it would not be found easier to search against the Townlands if the present system of indexing were continued.

Besides this it is proposed by the Commissioners that the Books should be arranged in Counties with Barony Divisions as at present, in which the names of the Townlands in each Barony are not to be entered in the first instance, but that the name of each Townland is to be written at the top of the first vacant page whenever first a deed brought in relates to it, not in alphabetical or any order, but by chance, and that a sub-index is to be put at the commencement of each volume referring to the page of it in which the Townland is to be found. I believe that practical men will agree with me that the arrangement of the Townlands in each County alphabetically would in practice be found more simple, facile, and economical than this system, if the Ordnance Survey is utilized, particularly when several Townlands are to be searched after. It is said that waste will be thus avoided because there may be no entry in some of the Townlands during the time that the Books are to run. This, I think, is a fallacy, waste would be avoided if the books were to be made in sheets and bound afterwards, but they are not, so that a space must necessarily be allowed in them for each Barony at the commencement of the period according to the size of the Barony, which must be done either by allowing space for each Townland according to its size—they varying in area from 12 to 7,000 acres—or, by what is the same thing—allowing space according to the size of the Barony (they varying from 1,630 to 810,655 acres), so that at the end of the period the same space would be vacant as far as can be foreseen, as if each Townland, was printed at the commencement in alphabetical arrangement, and the trouble of a sub-index, and the additional risk of mistake arising from it would be saved. This remark, however, applies to a plan by which the Indexes would require to be consolidated periodically. Under the system I propose there will be no necessity almost for consolidation. It is required now principally in consequence of the multitude and variation of names of Lands. These I now intend to cease. The entries for each townland will as long as the books remain be in its own sheet by its own number, and there will in truth be nothing in the Land Index to be consolidated, so that the books may be carried on in a continued series, as in the Registry of Judgments Office, by referring from one to the other for any length of time, and though for some time there may be no entry in one Townland the division will be ready for it whenever a Deed respecting it is registered. Accuracy in prospecting, therefore, becomes of no importance as far as waste is concerned, and these observations will apply as well to any unit of Registration which is constant.

Returning from this, which is to some extent (though not altogether), a digression from giving my reasons for not adopting the Division of the Books into Townlands. Taking all the matters I have mentioned into account, I use as my Registration Unit—instead of the Barony or Townland—the Sheets of the Ordnance Survey, the books being County Books, sub-divided according to the consecutive numbers of the Sheets, allowing a reasonable space in them at the commencement for each Sheet in numerical order. I take the Sheet as the Unit because the size of the Sheets is uniform, viz., six miles by four, or little over 15,000 acres. There are 1,907 sheets, and 63,000 Townlands, so that each Sheet division would contain on an average about thirty-two Townlands, and if there did not happen to be any entry on any of these for some time, it is not unlikely that the entries upon some of the others would compensate for it. This division, approaching as closely as possible to uniformity, the space to be taken in the books too would be as nearly uniform, and the area of search would be much reduced, as it would require search under one division or sheet only, instead of, as it might be in a Townland division, a search in several divisions. It would, as compared with an Index arranged for Townlands, reduce the places in the Index to be searched to less than one-thirtieth, i.e., as 1,907 to 63,000, while the extent of search would be only about one-sixth of what it is at present, and getting rid of the aliases would probably reduce it to about one-eighth, even with the present forms of books, &c. The boundaries of the lands on the sheets I may remark are obvious to any one, and as for ascertaining the name of a Townland, the Survey must be looked at, and as in ascertaining the Townland, the sheet on which it is would be learned, no additional trouble would be given to the party searching by my suggestion.

Having thus taken the Sheet of the County as the primary division, the Townland might be numbered on some copies of the Survey conspicuously as I have done on Sheet 84, County Kerry,* in such a way as that when the Townland was looked at its number would be at once seen, and anyone learning the one at the same moment would necessarily see the other: in this, following the example set for so long a time by other public maps. If it should be thought that there is any difficulty in numbering the Townlands I have not proposed it without consulting those who are competent to form an opinion upon it, and I believe Lieut.-Colonel Martin will say that there would not be the least difficulty and possibly

* This Sheet, as numbered, was shown to the Commissioners.—R. J. L.

little expense in having it done, while Mr. Greene, of the Valuation Office, who has been already examined before the Commission, knows that numbering has been carried out to a much larger extent upon the Valuation maps for some years as shown on any of them. I, however, propose (what would render the numbering of the maps not necessary), that there should be appended to each sheet, precisely as there is to the Down Survey maps, an Alphabetical list of the names of the Townlands upon it, with the number assigned to each, and that such lists should be published separately for each county, and sold for general use for a very small sum. To enable any one to judge of the facility with which this may be accomplished, I have appended Form 1 (*infra*, p. 36), the list of each of the townlands on the five sheets of the Ordnance Survey with which I have dealt in the deeds to which I shall refer, with the numbers I have assigned to them respectively. These I made out in a few hours from *even* the materials in this office, and upon speaking to Mr. Greene on the subject, he told me that they could easily be made out from the Indexes to the valuation book of each county, as they could also from the Census list of townlands published.

I dare say each County may be thus printed for *4d.* or *6d.*, and being in the hands of those dealing with land, would tell the name of the Townland, its sheet and number, even without referring to the Sheet itself, so that anyone knowing one could always find the other. In the first Report the Commissioners have recommended that copies of the Survey for each county should be lodged in convenient places for reference, and with them if copies of these Townland lists and numbers (as I have proposed) were lodged also, there would be local facility for finding almost at once the sheet, name, and number of every Townland in Ireland, and (what does not appear to have been taken into consideration by the opponents of Ordnance Survey Townland Registry) it is to be remembered that even the trouble to ascertain these names and their numbers is *only to be done once* for being once done, every other deed relating to the property may implicitly follow the first, which could not now be done safely with the names in any of the older deeds of a property, and hence aliases.

The number of the Sheet in the County and of the Townland on that Sheet, which will not in any case exceed two figures (the average number of Townlands on a sheet being less than 32), being ascertained, I propose that in the description of the lands the Sheet and number should be added to the Townland names, *if the Townland names are stated*, but I would allow parties, if they pleased to convey by County, Sheet, and Number alone, as is done in the North Lots, the Railway Maps, the Down Survey, Landed Estates Court conveyances, and all through the colonies, viz. Australia, New Zealand, Tasmania, Canada, &c., where Public Maps (such as the Ordnance Survey here) are available. This may be seen by the returns which have been sent to the Commission,—for instance in Ottawa, Canada West, the description of lands is:—

“Lot No. 2, in the 8th Concession of the Township of Galt.”

Which, altered for Ireland, would be—

“Townland No. 3, Sheet 64 of the County of Kerry.”

Instead of—

“The Lands of Toorcanalligana, in the Barony of Iveragh, and County of Kerry.”

But making use as I do of the County, Sheet, and Numbers *only* for the Indexes, it would be of no consequence, as a matter of Registration, what additional description was given of the premises, so that the parties might use also any other description they pleased.

With the Deed I propose that an Abstract of it in form, somewhat similar to Form 4 (*infra*, p. 39), written on parchment of a fixed size, and also a copy of it on paper both certified by the solicitor or verified by affidavit as correct, should be brought in, and upon the responsibility of these I would Register the Deed, or I would give a party the power of signing the Deed and Abstract, or of verifying the Deed, Abstract and Copy, before a Commissioner, and upon that being done allow the Deed to be registered without further verification or comparison. All my inquiry and examination has proved to me that the notion of security being increased by sworn verification of an instrument is fallacious.

To prevent error, I should state here, that following the first Report I have used the word Abstract as identical with what was the Memorial. Under the present system the Memorial is an *Abstract of the Deed* with some one or two small additions, and the *Abstract* in the books is an *Abstract of the Memorial*. The Contents of the Memorial by statute are “the date, names, and additions of parties and witnesses, and the land with their counties, cities, &c., as in the Deed.” Of these the additions of parties and

witnesses are the only things omitted in the Abstract Book, but they are contained in the form I give, so that—what following the Report I call an Abstract—will supply those additions, and render unnecessary the making or keeping of any other Abstract or Book. The only objection to act on this Abstract and copy is an Office objection which is very far from complimentary to the Solicitors, and I think assumes too much for the Office, for it amounts to this that if such a provision was made either the Solicitors will neglect their duty by entrusting this important business to those who are called indifferently, “incompetent,” “attorneys’ clerks,” “unfit,” “unskilled” and “careless hands,” or that the Solicitors themselves are incompetent to do such work, and that for some or one of these reasons the Abstracts and copies so brought in would be unreliable,—that therefore the clerks in the office are the only persons competent to prepare an Abstract for as they have superior capacity superior care is bestowed upon it. This is a matter entirely *dehors* the office business, and upon which any person in the community has the same means of forming an opinion as any official in the Registry Office, and I for one cannot assent to those assertions, for whilst I admit the efficiency of the clerks, and that there *has* been carelessness in drawing Memorials, it has arisen, to a great extent at least, from the looseness of Registry legislation which left any thing almost to answer as a Memorial for the Registry of a Deed, and, as it were, supported carelessness in drawing it by the obligation imposed on the Registrar to correct it. But the objections made even thus appear to relate to the Denominations and the Grantors. Now as to both of these strange to say the Registrar is at present bound to take the certificate of the Attorney of the number of them as conclusive, though the Attorney is not required to certify the names of the Grantors. It is said that the certificates as to the number of Grantors are often incorrect while it is at the same time said that it is often so hard to find out who are Grantors that an Indexer in the Office is more fit to do it than the Solicitor who prepares the Deed. It appears to me that the person who prepares the Deed is by training and otherwise more fitted for determining this (which is in fact a legal matter) than the Indexer. So far as the lands are concerned: under the proposed system the Townlands must hereafter be found out before the Deeds are brought into the office, and as to Grantors the objection is founded on the assumption that every one in a Deed is either a Grantor or Grantee, whereas there are parties who admittedly are strictly neither, and the office solves the difficulty by (whether correctly or not), making all these who they call “silent parties,” “Grantors,”—for instance A with consent of B conveys to C at request of D. What are B and D? Plainly in common parlance they are neither Grantors nor Grantees, and so the Solicitor may say, but the office I believe would put down both as Grantors. Is that *certainly* correct? I ask this question only in reference to the description as “Grantors” of such parties. In the first Registry Act an “Alphabetical Calendar” (i.e., the Index) is required to be kept of “the names of the parties mentioned in such Memorial,” and for 120 years, i.e., to 9 Geo. IV., c. 57, the Indexes were guided solely by that requirement which even was not strictly carried out. By the latter Act the distinction of “Grantor” and “Grantee” in the Indexes was inaugurated, but neither in it nor since has there—as there ought to have been—any definition given of either of these words, and in the West Riding of Yorkshire where the Act is the same in this respect as the first Irish Act, the Indexes are to the present time carried on *strictly* in accordance with the above direction, the names of all the parties being Indexed without any division into Grantors or Grantees. It appears to me to have escaped the recollection of those objecting to relying on the Abstract and copy, certified or verified by the Attorney or party bringing in the Deed that such certificate is prescribed by the Statutes for ascertaining the number of Grantors, the number of denominations, and the number of folios, and as to the latter by 5 & 6 Vic., c. 82, s. 33, the Deed is to be Registered on such certificate, “*notwithstanding there may be a greater number of folios or words than specified in the certificate.*” It is to be remembered also that in deeds executed in England legislation is so far antagonistic to the objection, that by, an Act passed for the purpose, the Registrar is required to Register a deed upon a *verified* memorial and copy of it without even seeing the deed, and *without the deed, memorial, or copy being compared in his office or officially elsewhere.* I should like to know from those insisting on office comparison of instruments, and refusing to act upon certified or verified copies, &c., how many improper, defective, or fraudulent, Registries have taken place since the year 1824, when the Statute was passed providing such means of Registry for Deeds, executed in Great Britain; I believe it would be found there were none. Why then should not a deed executed in Ireland be registered at least in a similar way or even by a certificate of the correctness of Abstract and copy from some person qualified as I propose? I have heard it said that requiring such Abstract and Copy would be harrassing to

the Solicitors, but I never heard, nor does it appear in the evidence, that any objection has ever been made to the provisions of the Statute I have mentioned, except the difficulty sometimes of getting in England a Commissioner to swear the affidavits before: an objection which would rather favour my views of being satisfied with a certificate from the Solicitor; for carelessness in which he would be liable, and their responsibility for which is the principal objection of Solicitors to the certificate.

In the Abstract and copy brought in I would require the lands to be described by the Ordinance Sheet, and their respective numbers only, whilst I would permit parties to add any description they pleased. I omit from my Abstract the column of "Names of the parcels as stated in the Instrument," appearing in the Commissioners' proposed Abstract, for I do not think it desirable to introduce into any document used for the purposes of the Registry any description of lands but that by which they are to be entered, indexed, and searched for in the Registry. It will, I consider, only tend to keep up *garni* for registration purposes the useless aliases and descriptions which are the bane of this Registry, without, I believe, serving any useful end. It is said it will be beneficial for the purpose of identifying the lands. Analyze this and I think it will be found that it does nothing of the kind, for a deed is to be registered—however the lands may be described in it—by the Ordinance names or numbers only. Anyone claiming under a deed for which these have not been ascertained must, for his own security, before his conveyance is registered, ascertain by the means I have mentioned, that the lands so described in the former deeds are identical in area, &c., with certain Townlands or numbers as named and defined on the Ordinance Survey. Everyone afterwards claiming under that deed takes—without inquiry or caring how the lands are described in old deeds—his conveyance according to the names or Sheet and Numbers in this deed—so that to both this old description is useless. It is, if I understand right, intended that the old description to be given in this Abstract, is, as far as registry is concerned, to be ignored, but having regard to notice and other questions which may arise, who can tell *a priori* what effect placing this description on the Records of the office will have? I don't enter into these questions but if this old description so placed has any effect, or if by placing it there it leads to the supposition that it has effect (and how can such a supposition be prevented?) it will be more than useless—Only two cases can arise for which it may be used. The Ordinance Townlands may comprise,—first less,—second more than the lands in the deed. To get the deed registered the party must have (or at least may have) ascertained in the first case that they are less, and if having that information he is still satisfied to register only against the Ordinance Survey Townlands Names or Numbers, instead of in addition registering also against the Townland into which part of one of his has been thrown, he has no cause of complaint if he gets no benefit from the old description; whereas in the second case where the Ordinance Townlands, as named, exceeds the area of his intended lands, the Registry only affects the part of the Ordinance Townland to which he is entitled, he gets all that he is intended to get, and so to him this second description is at least useless. In either case, however, he has in most instances the deed itself to refer to, or the copy, if a copy is lodged in the Registry Office, and any benefit he may derive from the second description of the lands he can get by means of either of these. I therefore, as well as for simplicity and brevity, reject this second description—as will be seen by the Copy Abstract I have provided, Form 4 (*infra*, p. 39.) It must, however be remembered that this restriction is only one relating to the office and is not intended to prevent a party from describing the lands in his conveyance, as is frequently done now in Landed Estates Court conveyances, as "the land of so-and-so," described on the Ordinance Survey as "the Townlands of so-and-so," but it will save the Office the trouble and expense of registering the lands by the two sets of names as, in such cases, it is obliged to do now.

The abstract being brought into the Office is to have put by the officer on it and on the copy of it the Vol. and number of the deed and date of registry, for which blanks are left in the form. The abstract is then to be used, as the Memorials at present are, to make the Day-book in the Office, while the copy of it is to be transmitted either occasionally, or during the day, or all together in the evening, to be printed in sheets to be afterwards bound in a book, as in Form 5, (*infra*, p. 40), which contains the four abstracts with which I deal, each of which is fully indexed. Eight pages, that is half a sheet of print, would, I calculate, comprise nearly an average day's work, in a convenient readable sized book, without loss of the room occasioned by putting the abstract in columns. This is a book, with respect to which there is no occasion for extraordinary hurry. It may, from the evidence given to the Commissioners, if required, be easily printed, say half a dozen copies of it, in the course of the day after the deeds to which the abstracts brought in belong, and more copies might be printed at, I believe, much less

expense than that at which the copies of the Memorials are now written and compared.*

In addition to the abstract and copy, I propose that forms of particulars of deed should be printed for general use, and also kept in the Office, as Form 2 (*infra*, p. 37), and that such a form should be presented, with the deed filled up certified and signed by the attorney or party presenting the deed, to be registered. The "Day-book," which in practice is almost a necessity, I propose should be as Form 3 (*infra*, p. 38), and while from the abstracts the Day-book is made out in the office, as it is now from the lengthy Memorial, the forms of particulars being previously numbered in the Office to correspond with the number of the deed and abstract, should be sent each day to be printed as the "Day-book." Looking at the quantity of printing necessary for it, and having regard to the evidence given, it appears to me quite clear that several copies of each day's work may be supplied to the Office for use early the following day. If that be so I beg attention particularly to what this Day-book is, for here I depart from the existing systems of registry. This Day-book—while the Lands Index is being made out, say for two or three days or a week if necessary—is a perfect searchable Index, besides which from one of the copies of it is to be made—what I always thought ought to be the Primary Index, or rather the Index of the Office—a perfect Lands Index giving in a few minutes everything which any party can require. Hitherto the Day-book has been used *solely* for making out the Names Index, which has been considered the most important almost the Index of the Office. The reason of this appears to me to be very plain. While a person has been at liberty as heretofore to register a deed with a general description of the lands, without name, barony, or county, the Names Index should necessarily in every case be searched, and hence it was in every search made the primary and first searched Index, while the Lands Index was used only as a check to it. The Names Index if correctly made out comprised every act to be found in the County, no County, Barony, no Barony, and no description or general charge Books. All these books will cease by the use of the Ordinance Survey Townland names, or numbers, and by a single search for acts of John Williams affecting the townland of Ballysavage, or lands on Sheet 20, Townland No. 12, in the county of Antrim, every act must be found, (which was before only to be got in these varied and complicated Books under three or four names), and this without looking at the Names Index at all, so that it will become with my proposed Lands Index nearly useless. This proposition will doubtless startle officials, who, from the constant use of the Names Index, and not seeing the effect of the alteration, have never thought of such a change producing so important effects. Possibly, as I proceed, there are other reasons why my suggestions should not be popular in the Office, but I beg the particular attention of solicitors to the remark, and I wish everything I state to be carefully and dispassionately considered and criticised. In this Day-book, as printed, the two first columns it will be seen are the County and Sheet, and suppose a person to be purchasing property in the County of Antrim from John Brown, he, while the Lands Index is being made out by looking down the 1st column only, finds the County at once. Having found the County he looks in column 2 for the Sheet of the county on which his intended property is, say sheet 44, and looking in the third column for the number of the townland he is dealing with, say No. 9, he finds it at once, and finding in the 4th column the name of John Brown, as he is searching against John Brown he is interested in that deed, and is directed at once to the volume and number of the deed and abstract. He then continues to look down the 1st column, and finds nothing more against Antrim, or against sheet 44, or against No. 9, or even against all, yet if not against John Brown,—if the first deed is ascertained to be of no importance to him—he may pay his money, and take his conveyance without the least fear of anything prejudicial to him having been done up to the day of search. I don't think that by any other plan proposed can be got his information so perfectly, and feel so confident of security in so short a time.

I should remark that the Deeds entered in this specimen Day-book are those of which I have made the Abstracts—and I have selected them not for brevity but as heavy Deeds, so that the value of the numerical system may be seen. The first Deed deals with three Counties, five Sheets, and nineteen townlands divided among several Sheets, and by comparing the entry of it in the Index with the description of the lands in the first Abstract (*infra*, p. 46), the comparative space taken up in describing the townlands under the two systems, and the facility of finding them may be seen. This is more clearly shown in the thirtieth and Abstract. The description of the lands by the County, Sheet, and Townland

* Since writing this I have had the opportunity of seeing these suggestions almost exactly in successful operation in the Office of Register of Sasines in Edinburgh.—R. J. L.

Number, I have placed in the three first columns of this Day Book; first, for the facility of temporary search, as I have shown, and, secondly, as a guide to the maker of the Lands Index Form 6 (*infra*, p. 41, &c.), which is to be made out from one of the printed copies of this Day Book. The two first show him the County and Sheet on which each entry is to be made in the Lands Index, but are used for that *only*, and are not, as will be seen, to be put into the Lands Index, whilst all the other columns are to be entered in the Lands Index *precisely* as they are in the Day-book, with the exception of the Townland Numbers, which are respectively to be placed in the Lands Index in the Index of their own particular Sheet *only*, as done in the Lands Index of each of those Deeds where Armagh, Sheet 12 has its own townlands only, Sheet 15 its own, and so on with all the others—whilst everything else being the same as the Day Book, affords the greatest facility for printing from the type set up for the Day Book, or leaving for writing incalculably less than is done at present, though giving everything that is required in nearly every case; for suppose a person is searching for Acts, by W. Johnson, to affect No. 32, Sheet 64, County Kerry—he gets the Index to that Sheet (*infra*, p. 43), and looking down the first column of the Index he finds that Number 22 is dealt with by the third Deed on the Index of that Sheet, which deals with Nos. 2 to 30, but looking at the Parties' column he finds it is not an Act, by W. Johnson, and passes it: going on to the fourth Deed he finds that Number 23 is dealt with and that W. Johnson is party to it, and so it is within the terms of his search—he has the reference to the volume and number, and is at once able to identify the Deed as one he knows or does not know of. I have called attention to the small space taken up by numbers in comparison with that by names; but now, looking at this Index, I ask attention to the fact, important whether printing or writing be used, that to Index these *four Deeds* in the Land Index, so that the search required can be, as I have shown, made with perfect security and the greatest facility, only eight *short* entries are required, while for a Townland Lands Index, as proposed by the Commissioners, fifty-five entries at least as long should be made. Allowing five minutes for each of these, it would take four and a half hours to enter these four Deeds, while upon the same calculation upon the numerical system, it would take only forty minutes, a difference of nearly four hours—and while when searching you would have to search under each of these fifty-five Townlands, in several different places in books of three different Counties, and, perhaps, in two or more Baronies in each County, with all the delay and trouble of getting the books; on the numerical plan the search is made in only five places, *i.e.*, on five Sheets, and though in three different Counties you can in each County turn at once to the Sheet in which each Townland is. The average number of entries in each year at present on each Sheet is about eight. It will be seen, too, that this Lands Index is not *only* an Index of Lands, for having in each entry the names of *all* the Grantors, as in the first entry, whether you are searching against the lands for Acts by Day, Smith, James, Brown, and Edwards, or any one or more of them, instead of having to search in the Alphabetical Index of Names in five different places you find all you want in each entry in this Index, and I confess I heard with some surprise an objection to all the names being so given, which was only reconcilable with prejudice from the use hitherto made of the Names Index and the objector not having considered the effect of the changes proposed, or, perhaps, not seeing that all searches under the proposed system (in contradistinction to the present) must include the lands “by name,” except in a very small number of instances, not one, perhaps, in 500 or 1,000, to which I shall afterwards refer. In the documents and books I have referred to it will be seen that the same four Deeds pervade them all: but one book I have not printed,* which, though last noticed, was the first made, and from it all the others have been in reality taken.

It is a supposed Lands Index of the Sheet 64 of the County of Kerry already mentioned, and the numbers in it refer to the numbers I have put on that sheet and in the Index attached to it. It was made out upon a calculation of the average annual entries on a Sheet when they were less than at present, but I think it includes about a ten years average entries on a sheet now. It is divided into years, but that is of little import and the position of the columns for the townland number corresponds with the other books, &c., as I think it more convenient for the reasons I have given to have all the columns relating to the lands together. It is written by myself exclusively and is almost identical with one made many years since; the entries in it are I need scarcely say fictitious; but it contains a certain number of names of Grantors, and if to test it a search is asked for acts by anyone to affect any of the Townlands in it as given for that sheet on the Townland Index, I will show at once with what facility such a search for a space of ten years may be made—and I particularly wish it to be tested in this way—I will also make a search for all acts relating to any particular Townland upon it, and tell by whom and when they have been done, and it will be for those

* I thought it too long to print, but I showed it to the Commissioners.—R. J. L.

who have experience in the matter to compare such a search with a similar one under the present or any other system. By this, too, with an alteration in the requisition for a Search, I think the office objection to exceptions would be quite done away with. It arises entirely from the defect in the present Indexes; in neither of which are there sufficient materials to identify a deed found with that in the exception, so that the searcher is obliged to look to the transcript of every deed he so finds and thus trouble is given in the office. On the other hand I think it is unfair that a party should pay for a search for things which he does not want, amounting in general, I speak from experience, to nine out of every ten deeds abstracted in the abstract of title, and which more frequently produces, instead of a return of fifty deeds, (as it would without the exceptions in the requisition), a return of nil—and though even at present it causes the trouble in the office when making a search of turning to the memorials, it saves to the office the time and trouble of putting all the deeds excepted into the certificate of search, and comparing and copying them in the Copy Search Book, while the party requiring the search is saved the expense and delay of getting things he does not want. As in the Index I propose all the particulars of the deed are given, the deed then can at once be identified if the exception in the requisition is made—not as now required by the statute, by “the denomination, name and date of the instrument, and the name of the party searched against”—but by “the Volume and number” only of the deed and abstract which it must be remembered are to be found in the registry certificate indorsed on every deed.* The brevity of this as compared with the present form of exception and the facility it will afford the searcher and the amount of writing which will be saved would at once appear upon inspection of the two. It will be perceived that I have not attempted to make the Lands Index more than an Index. There is enough in it to identify the acts with a deed if the party searching has it, and if not he has reference to the volume and number of the abstract, and in such case will, of course, require to see either the original, copy, or abstract, as the case may be.

In framing the Lands Index I have followed the division into Grantors and Grantees required by the Irish legislation, though I think it would equally well answer and would get rid of a column in the Index to frame this Index upon the plan of the Yorkshire West Riding Index hereafter stated. But supposing the division into “Grantors” and “Grantees” to be continued, it has been suggested that it would be desirable to have in the Lands Index, or Abstract, a column for Grantors who have not executed. I have omitted any such, because I think it would add to the trouble of the officers without being of any use. Such a column is suggested upon the supposition that the deed is not registered as it is said against such parties, but only against those whose execution is proved. Upon consideration of the statutes I feel obliged to dissent from that view. Throughout the whole of the Registry Legislation no such phrase is to be found as registering “against” any one, or to that effect. The first statute was passed “for securing purchasers, preventing fraudulent conveyances of lands, &c., and for registering a memorial of deeds and conveyances for or concerning lands, &c.” It requires that the memorial in describing the deed shall contain “the names and conditions of all the parties to the deed, the names of the lands, with the counties, &c., which are conveyed,” as the same are mentioned in the conveyance, and requires an alphabetical calendar of the counties, baronies, cities &c., and of the names of the parties mentioned in such memorial, i.e., of all the parties to the deed, without regard to their position as grantors, grantees, or otherwise, and it gives priority to a deed so registered “against every other conveyance of the lands in the memorial,” according to the right not of the person stated in the memorial to have conveyed, or to be the grantor, not of the grantor or person whose execution is proved, but “according to the right, title, &c., of the person or persons conveying,” leaving them to be ascertained by the deed itself, but making the deed for that purpose binding, I think, upon “all parties” thereto. If it was not so intended the having an alphabetical calendar of “all those parties” was worse than useless. This view is strongly corroborated by the 6th section of 1 Anne, c. 2, stating the requirements for registering a memorial, which while it allows the memorial to be under the hand and seal of any grantor, or grantee, requires “the execution of the deed” to be proved thereby: as well as by requiring in the 7th section that the memorial shall state the day the “deed was perfected,” contemplating, perhaps, the execution by all parties conveying, which alone could make it perfect, and the registration once for all upon that proof, but it is not easy to say what meaning should be given to this word. It is to be remarked that the certificates for the purpose of registering deeds executed in Great Britain under 3 Geo. IV., c. 116, following the old legislation, all certify to the “execution of the deed” generally, and not by any one party. By the construction given to the statute in the West Riding of Yorkshire, from the

* The Com. missioners have adapted this suggestion. Rep. p. xxv.—R. J. L.

time of passing the statute to the present, the memorial after the names of parties states it to be a deed "of and concerning the lands," and not further stating its effect, and the alphabetical calendar of persons (as I have said) contains the names of "all parties" without separating them into Grantors and Grantees.

I have framed my indexes entirely with reference to practice, and to the searches which will henceforward be required. Every ordinary search can readily and conveniently and with safety be made in the Land Index *alone* without reference to any other book, and the Names Index hitherto, and even now in the office thought so important will be useless except in one case and under one set of circumstances, viz., a person becomes a bankrupt or insolvent, who having perhaps absconded, neither his property or his acts are known. In such a case the Names Index will be useful by making a search in it for all acts done by him, and they will all be shown upon the Names Index which I propose. Having made provision by the Lands Index for everything except the last mentioned circumstances, I make this a Names Index *only*, dividing it according to the surnames, and the Index Form 7 (*infra*, p. 44, &c.) is such an Index of the names of parties to the deeds of which I have the forms put in the Abstract Book and other books. It is framed solely in reference to the circumstances I have mentioned, and to give materials for the only search which the Lands Index will not give. It, therefore is, as the Lands Index is, a mere index for the guide of parties searching. It does not give the name of the grantee, but it does the name of each grantor (eleven in all) in the deeds, with the volume and number of the Abstract Book and deed—to which it is obvious any person searching the book for the purpose I have mentioned will invariably look, and therefore the names of the grantees being of no consequence would be useless and are omitted. A party, however, may from his knowledge desire to limit his search to a particular County or Sheet in a County: and to prevent unnecessary reference, the Counties and Sheets are given in this Index, for making which it is apparent how small the amount of time, writing or printing required would be compared with the Names Index hitherto used in the office. This is the last book which I propose for the purpose of carrying out the scheme which I now submit. I have had great opportunity of investigating the subject, and I have availed myself of the suggestions from time to time made by persons of the different classes interested in the Registry of Deeds, as well as of the experience of the working of systems in other countries. It is one not taken up hastily or brought so far without great consideration or without being altered from time to time in its details by the suggestions and opinions of those so situated as to be able to deal practically with the subject, while I have entirely disregarded the opinions, for or against any alteration, of those, who are not able to give any reasons for their opinions. I ask that in considering these suggestions my reasons should be considered as well as my propositions. The more both are considered the more I am convinced they will commend themselves to impartial minds, and after the Commissioners have had time to consider my plan I should be very glad to be closely and critically examined as to every part of it, and every objection to it. I may thus, perhaps, be able to show to opponents that "What their bounded view deemed evil is no more."

I should say however that I am no advocate for adopting any change in the present system of Registry without some trial. Even in this I have seen that "*nihil simul est inventum ac perfectum*," and in action it is probable that changes may be found useful. To make a trial of what I propose it would only require that numbered lists of Townlands should be made out, and that parties registering instruments should give the Sheet and either the Ordinance Townland or Number, and bring in the particulars I have suggested. The plan might thus be tested for any time or with any one or more Counties—as has been done in Scotland with the "Search Sheets," at greater expense, without at all interfering with the carrying on the office duties as at present. The details for doing so I can quite clearly see, but it is useless to give them here. The expense would be very small compared with the benefit derived from it if successful, and I feel very confident of its success. Possibly under the acts in force the Treasury, even independent of Legislation, might carry out the greater part of it.

The plan, if workable, as I believe it to be, will, I think, it must be manifest, greatly simplify both the Registry of Deeds and the making of Searches, and greatly diminish the expense of the office as well as its now necessary delays. I have taken some trouble to explain it clearly, and if what I have done shall at all aid the Commissioners with the other information they have received, in improving the present system of Registration, my labour will not have been in vain.

I ought perhaps to refer to a secondary use of Memorials which has caused some of the witnesses to advocate the continuance of them, namely the use they are for the purpose of tracing title. This must have been put forward as an objection to their abolition, upon the supposition that there would be nothing to supply the information at present given by Memorials, for otherwise there is really no meaning in it. Now

what information does the memorial supply? The date, the names, and additions of the parties and witnesses, and the lands, counties, &c. The abstract proposed by the Commissioners supplies all that information except the additions of the parties, and the names and additions of the witnesses; matters of very little importance for tracing title.

The abstract I propose supplies all the information: both the Commissioners and mine, being in fact Memorials with another name, whilst my Lands Index affords the greatest facility for tracing back the title for any length of time, and at once referring with certainty to the abstracts of all the Deeds deducing it. For suppose a person wants to know the title of John Williams in 1878 to lands in the Townland of Blackacre, which is say No. 4 in Sheet 8 of the County of Cork, he turns to the Index of that Sheet, and taking the last entry in it of No. 4 he finds the conveyance to J. W. by T. S. He goes back then through the column for the next entry of No. 4, and finds the conveyance by A. B. to T. S., and so proceeding backwards he finds the conveyance to A. B. and his predecessors successively, and turning to the abstracts traces the title for any period in the shortest possible time.

CONCISE STATEMENT OF POINTS.

1. That the Lands Index instead of being arranged as at present in Counties and Baronies, should be arranged in Counties, by the sheets of the Ordnance Survey placed numerically, the number of the sheet being placed at the head of the page allowed for it, and that all dealings respecting land within the area of that sheet should be there entered consecutively.

2. That in addition to any other description which may be given of the lands, the deed and abstract and certificate shall state the County or Counties and the numbers of the sheet or sheets and of the Townlands on the sheets respectively in which the lands dealt with are situated.

3. That for the purpose of enabling parties to obtain information of the above matters, County lists of the townlands on each sheet with their numbers should be upon or attached to each sheet, and it might be convenient (though not necessary) that the number of each townland or part of a townland on a sheet should be placed over the name of the townland on the sheet in the copies of the maps recommended in the report to be deposited in county offices.

4. That there shall be brought in with the deed and abstract a certificate from the solicitor or party seeking to register it of the particulars thereof, as stated in Form 2; that same shall be compared in the office with the deed and abstract, and, if found correct, the deed shall be entered and indexed according thereto, and shall be valid against lands contained within the space included in the townland numbers on the maps and lists respectively, and no other.

5. That upon such comparison being made, the certificate of registry shall be stamped upon the deed and abstract and signed, and the deed returned to the party who shall, on said particulars, sign a receipt for the deed.

6. That copies of such particulars shall be sent to be printed consecutively, according to the numbers on the particulars, from day to day.

7. That there shall also be brought in with the deed an abstract in the form of Form 4, but that it shall not be necessary in such form to describe the lands further than by the county and the numbers of the sheets and townlands.

8. That such copy, having been compared as aforesaid as to the statutory requirements, shall be sent to be printed, and shall be so printed in County books according to their order.

9. That the particulars of the deeds as above shall be written or printed in the Lands Index under their respective sheets, but with the Townland numbers only comprised in such sheet.

10. That the nature of the deed should not be stated in any of the above suggested forms.

11. That the Names Index should be kept in the Form No. 7, with a column added for the number of the townland which, the books being made small, I believe may be easily arranged *de die in diem* in strict dictionary order as to Christian and surnames, so as to be ready for being bound up at any given period even in print.

12. That the requisition for searches in future should be in the form of "acts by so and so to affect lands in townland No. 4, &c., sheet 20, county of Mayo," and that exceptions instead of the particulars now required by statute should state only the year, volume, and number of the excepted deed.

13. That the office should be divided into departments, by subdividing the country into unions of counties, and allotting a head clerk or superintendent to each subdivision.

RICHD. JAS. LANE.

F 2

²⁴ "TOWNLANDS LISTS."

Index

ANNAH—SHEET 12.		ANNAH		ANNAH—SHEET 13.	
		SHEET 12.		SHEET 13.	
Agnew's,	3	Barnes,	1	Arden's,	34
Allyna,	2	Barnes's,	2	Arden's,	35
Allyna's,	3	Barnes's,	3	Arden's,	36
Allyna's,	4	Barnes's,	4	Arden's,	37
Allyna's,	5	Barnes's,	5	Arden's,	38
Allyna's,	6	Barnes's,	6	Arden's,	39
Allyna's,	7	Barnes's,	7	Arden's,	40
Allyna's,	8	Barnes's,	8	Arden's,	41
Allyna's,	9	Barnes's,	9	Arden's,	42
Allyna's,	10	Barnes's,	10	Arden's,	43
Allyna's,	11	Barnes's,	11	Arden's,	44
Allyna's,	12	Barnes's,	12	Arden's,	45
Allyna's,	13	Barnes's,	13	Arden's,	46
Allyna's,	14	Barnes's,	14	Arden's,	47
Allyna's,	15	Barnes's,	15	Arden's,	48
Allyna's,	16	Barnes's,	16	Arden's,	49
Allyna's,	17	Barnes's,	17	Arden's,	50
Allyna's,	18	Barnes's,	18	Arden's,	51
Allyna's,	19	Barnes's,	19	Arden's,	52
Allyna's,	20	Barnes's,	20	Arden's,	53
Allyna's,	21	Barnes's,	21	Arden's,	54
Allyna's,	22	Barnes's,	22	Arden's,	55
Allyna's,	23	Barnes's,	23	Arden's,	56
Allyna's,	24	Barnes's,	24	Arden's,	57
Allyna's,	25	Barnes's,	25	Arden's,	58
Allyna's,	26	Barnes's,	26	Arden's,	59
Allyna's,	27	Barnes's,	27	Arden's,	60
Allyna's,	28	Barnes's,	28	Arden's,	61
Allyna's,	29	Barnes's,	29	Arden's,	62
Allyna's,	30	Barnes's,	30	Arden's,	63
Allyna's,	31	Barnes's,	31	Arden's,	64
Allyna's,	32	Barnes's,	32	Arden's,	65
Allyna's,	33	Barnes's,	33	Arden's,	66
Allyna's,	34	Barnes's,	34	Arden's,	67
Allyna's,	35	Barnes's,	35	Arden's,	68
Allyna's,	36	Barnes's,	36	Arden's,	69
Allyna's,	37	Barnes's,	37	Arden's,	70
Allyna's,	38	Barnes's,	38	Arden's,	71
Allyna's,	39	Barnes's,	39	Arden's,	72
Allyna's,	40	Barnes's,	40	Arden's,	73
Allyna's,	41	Barnes's,	41	Arden's,	74
Allyna's,	42	Barnes's,	42	Arden's,	75
Allyna's,	43	Barnes's,	43	Arden's,	76
Allyna's,	44	Barnes's,	44	Arden's,	77
Allyna's,	45	Barnes's,	45	Arden's,	78
Allyna's,	46	Barnes's,	46	Arden's,	79
Allyna's,	47	Barnes's,	47	Arden's,	80
Allyna's,	48	Barnes's,	48	Arden's,	81
Allyna's,	49	Barnes's,	49	Arden's,	82
Allyna's,	50	Barnes's,	50	Arden's,	83
Allyna's,	51	Barnes's,	51	Arden's,	84
Allyna's,	52	Barnes's,	52	Arden's,	85
Allyna's,	53	Barnes's,	53	Arden's,	86
Allyna's,	54	Barnes's,	54	Arden's,	87
Allyna's,	55	Barnes's,	55	Arden's,	88
Allyna's,	56	Barnes's,	56	Arden's,	89
Allyna's,	57	Barnes's,	57	Arden's,	90
Allyna's,	58	Barnes's,	58	Arden's,	91
Allyna's,	59	Barnes's,	59	Arden's,	92
Allyna's,	60	Barnes's,	60	Arden's,	93
Allyna's,	61	Barnes's,	61	Arden's,	94
Allyna's,	62	Barnes's,	62	Arden's,	95
Allyna's,	63	Barnes's,	63	Arden's,	96
Allyna's,	64	Barnes's,	64	Arden's,	97
Allyna's,	65	Barnes's,	65	Arden's,	98
Allyna's,	66	Barnes's,	66	Arden's,	99
Allyna's,	67	Barnes's,	67	Arden's,	100
Allyna's,	68	Barnes's,	68	Arden's,	

Introduction of Dental Composites

Phantom-Land is laid out by the party registers, and headed in with the Dead, the Val, and We, being put as told by the Registers, as on the Dead.

I certify that the following are the particulars of Deed, Vol. _____ No. _____, handed in herewith to be registered
this _____ day of _____

[illegible]

DAY BOOK, JANUARY 17, 1879.

Page 1

21

County	1878	Ordinance No. of Township	All Grantees	Grantee, last or none	Date of Deed	Date of Registry (a)	Volume	Number	Nature of Deed (b)
ARMAGH,	12	3-4-5	Dix, W.	Thomas, J. and Others,	January 14, 1879.	January 17, 1879.	1	174	Trust
"	"	7-8-9	Santa, Thomas,						
"	15	2-6-10	Jones, Edward,						
ANTHONY,	44	6-8-9	Brown, John,						
"	50	2-5-7	Robinson, Thomas,						
"	"	8-9	"						
KERRY,	64	25	"						
"	"	15-16	Eric, O'Connell,	Jarvis, W.	February 2, 1874.	January 15, 1879.	1	258	Assignment.
"	"	2 to 30*	O'Brien, Matthew,	Anderson, J.	June 4, 1850.	January 18, 1879.	2	216	Lease
"	"	4-7-11	Ferris, F.	Bartlett, F.	March 3, 1861.	January 18, 1879.	2	257	Mortgage.
"	"	14-23	Osce, Thomas,						
"	"	30	Jennison, W.						

*This column, though written on this book, is quoted here for the purpose of printing the book taken from an original.

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Abstract to be handed in by the Party Registering a Deed.

Abstract of a Deed, dated the 14th January, 1879, and Registered on the day of , made between William Dix of, &c., of the first part, Thomas Smith of, &c., and Edward James of, &c., of the second part, John Brown of, &c., and Richard Edwards of, &c., of the third part, and John Thomas of, &c., Edward Smith of, &c., and William Johnson of, &c., of the fourth part, whereby the said William Dix, Thomas Smith, Edward James, John Brown, and Richard Edwards assigned to John Thomas, Edward Smith, and William Johnson, in trust, the Townlands (*of Ballycendal, Cargagh, Grangemore, Lisbane, Tinnascobe, and Teeraw*), in the County of Armagh, Sheet 12, Nos. 3, 4, 5, 7, 8, 9, and the Townlands (*of Broostally, Draw, and Lislynn*), Sheet 15, Nos. 2, 6, 10, the Townlands (*of Browndod, Carnarney, and Crosskennan*), in the County of Antrim, Sheet 44, Nos. 6, 8, 9, (*Birch Hill, Bush, Ballysavage, Ballynee, and Balloo*), and Sheet 50, Nos. 2, 5, 7, 8, 9, and the Townland (*of Glancuttane Upper*), in the County of Kerry, Sheet 64, No. 25, with their several appurtenances, which Deed is witnessed by A. B. of, &c.

I have put the names of the Townlands in this form, as well as in the Abstracts in Form 5, in italics and parentheses, because the insertion of them will not serve any purpose for Registration. My desire is to get rid of them, and I think anyone who looks at the third Abstract I have made, and reads the names in it, will see the benefit of doing so, arising from the space, labour, and time saved by using only my description.

ABSTRACT BOOK.

Vol. 1.
No. 174.

Abstract of a Deed dated the 14th January, 1879, and Registered the 17th of the same month, made between WILLIAM DIX of, &c., of the first part, THOMAS SMITH, of, &c., and EDWARD JAMES of, &c., of the second part, and JOHN BROWN of, &c., and RICHARD EDWARDS of, &c., of the third part, JOHN THOMAS of, &c., EDWARD SMITH of, &c., and WILLIAM JOHNSON of, &c., of the fourth part, whereby the said William Dix, Thomas Smith, Edward James, John Brown and Richard Edwards assigned to the said John Thomas, Edward Smith, and William Johnson, in trust, the Townlands (of *Ballyscandal, Corgagh, Grangemore, Lisbanoe, Tinnascobe, and Teerane*), in the COUNTY of ARMAH, SHEET 12, Nos. 3, 4, 5, 7, 8, 9, and the Townlands (of *Brootally, Drum, and Lisglynn*), SHEET 15, Nos. 2, 6, 10; the Townlands (of *Browndod, Carnearney, and Crosskennan*), in the COUNTY of ANTRIM, SHEET 44, Nos. 6, 8, 9; (*Birch Hill, Bush, Ballysavage, Ballywee, and Balloo*), and SHEET 50, Nos. 2, 5, 7, 8, 9; and the Townland (of *Glancuttaun Upper*), in the COUNTY of KERRY, SHEET 64, No. 25, with their several appurtenances.

Vol. 1.
No. 200.

Abstract of a Deed dated the 5th February, 1854, Registered the 17th January, 1879, made between CHARLES EYRE of, &c., of the one part, and WILLIAM JEFFCOTT, of, &c., of the other part, whereby the said Charles Eyre assigned to the said W. Jeffcott the Townlands (of *Glancuttaun Lower, and Casha North*), in the COUNTY KERRY, SHEET 64, Nos. 15 and 16, for his estate therein.

Vol. 2.
No. 276.

Abstract of a Deed dated the 6th of June, 1860, and Registered the 19th January, 1879, made between MATHEW O'BRIEN of, &c., of the one part, and JOHN ARMSTRONG of, &c., of the other part, whereby the said M. O'Brien demised to the said John Armstrong, for 99 years, the Townlands (of *Ballintleave Commons, Tooreenashigawn, Quaybawn, Glannagillingh, Knocknaboola, Ounagarry, Ardackeen, Connaw, Coomnafanida, Kilcoolight West, Callahaniska, Treanmanagh, Gortloughra, Glancuttaun Lower, Casha North, Oolagh East, Oolagh West, Treangerriv, Gortagreenane, Gortnagmore, Gortnaganbeg, Lauhir, Dromleogh, Glancuttaun Upper, Beanglaska North, Curraflugh, Akane, Gortrelig, Goulnacapp, and Coornagrena*), in the COUNTY of KERRY, SHEET 64, Nos. 2 to 30.

Vol. 2.
No. 277.

Abstract of a Deed dated the 3rd of March, 1861, and Registered the 19th January, 1879, made between FRANCIS PATRICK of, &c., of the first part, THOMAS COLE of, &c., of the second part, WILLIAM JOHNSON of, &c., of the third part, and FRANCIS EDWARDS of, &c., of the fourth part, whereby the said Francis Patrick, Thomas Cole, and William Johnson mortgaged in fee for £1,000 to said Francis Edwards the Townlands (of *Quaybawn, Ounagarry, Kilcoolight West, Gortloughra, Gortnaganbeg, and Goulnacapp, and Coornagrena*), in the COUNTY of KERRY, SHEET 64, Nos. 4, 7, 11, 14, 22, 30.

LANDS INDEX.
(Each Division representing a Page.)

Form 4.

ARMAGH.

SHEET 12.

Ordinance No. of Township.	All Grantees.	Grantee, one or more.	Date of Deed.	Date of Registry.	Volume.	Page.	Nature of Deed.
3-4-5 7-8-9	DEE, W. . . . BUTTS, THOMAS, . . JAMES, EDWARD, BUTTS, JOHN, . . EDWARD, EDWARD, .	THOMAS, J. and OTHERS,	January 14, 1878.	January 17, 1878.	1	174	Trust.

ARMAGH.

SHEET 15.

Ordinance No. of Township.	All Grantees.	Grantee, one or more.	Date of Deed.	Date of Registry.	Volume.	Page.	Nature of Deed.
2-6-10	DEE, W. . . . BUTTS, THOMAS, . . JAMES, EDWARD, . . BUTTS, JOHN, . . EDWARD, EDWARD, .	THOMAS, J. and OTHERS,	January 14, 1878.	January 17, 1878.	1	174	Trust.

ARMAGH DIST.

LANDS INDEX.—Continued.

B

ANTHEM.

SHEET 44.

Colours No. of Township.	All Grantees.	Grantees, one or more.	Date of Deed.	Date of Registry	Volume.	Page.	Nature of Deed.
6-8-9.	Dr. W. . . . Sutton, Thomas, . JAMES, EDWARD, . BROWN, JOHN, . EDWARDS, EDWARD, .	THOMAS J. and OTHERS,	January 14, 1878.	January 17, 1878.	1	174	Trust.

ANTHEM.

SHEET 50.

Colours No. of Township.	All Grantees.	Grantees, one or more.	Date of Deed.	Date of Registry	Volume.	Page.	Nature of Deed.
2-5-7 8-9	Dr. W. . . . Sutton, Thomas, . JAMES, EDWARD, . BROWN, JOHN, . EDWARDS, EDWARD, .	THOMAS J. and OTHERS,	January 14, 1878.	January 17, 1878.	1	174	Trust.

CONTINUING SHEET 45 INVERSE

SECRET 64

[illegible]

NAMES INDEX

(Each Division representing a Page)

Form F. 2

BROWN.					COLE.				
1879					1879				
Christian Name.	County.	Dist.	Vol.	Number.	Christian Name.	County.	Dist.	Vol.	Number.
— John, . . .	Armagh, . . .	15—18	1	174	— Thomas, . . .	Kerry, . . .	64	2	177
“ . . .	Armagh, . . .	64—65	“	“					
“ . . .	Kerry, . . .	64—	“	“					

DIX.					EDWARDS.				
1879					1879.				
Christian Name.	County.	Dist.	Vol.	Number.	Christian Name.	County.	Dist.	Vol.	Number.
— William, . . .	Armagh, . . .	15—18	1	174	— Richard, . . .	Armagh, . . .	15—18	1	174
“ . . .	Armagh, . . .	64—65	“	“	“ . . .	Armagh, . . .	64—65	“	“
“ . . .	Kerry, . . .	64—	“	“	“ . . .	Kerry, . . .	64—	“	“

REGISTER OF LANDS COMMISSION.

NAMES INDEX.—Continued.

EYRE.

1879.

Christian Name.	County.	Rank.	Vol.	Number.
— Charles, . .	Kerry, . . .	44	1	200

JAMES.

1879.

Christian Name.	County.	Rank.	Vol.	Number.
— Edward, . .	Armagh, . . .	18—23	1	174
— " . . .	Armagh, . . .	44—50	"	"
— " . . .	Kerry, . . .	64—	"	"

JOHNSON.

1874.

Christian Name.	County.	Rank.	Vol.	Number.
— William, . .	Kerry, . . .	44	2	277

O'BRIEN.

1879.

Christian Name.	County.	Rank.	Vol.	Number.
— Mathew, . .	Kerry, . . .	44	2	273

NAMES INDEX.—Continued.

PATRICK.					SMITH.				
1878.					1879.				
Captain Name.	County.	Rank.	Tal.	Number.	Captain Name.	County.	Rank.	Tal.	Number.
— Francis.	Kerry.	64	5	177	— Thomas.	Armagh.	12—15	1	174
					— ".	Armagh.	64—69	"	"
					— ".	Kerry.	64—	"	"

Remarks.—When I drew up the above plan I did so, as will be seen, to submit it to the Commissioners, with documents to be drawn and explained also, and in expectation that I should have been assisted for the purpose of drawing objections to and answering objections which I was aware would at first present themselves to many persons. When, I think, was necessary to the plan was entirely new (in fact, not completed until the month of May last), but therefore never been made public or brought under the notice of any other Committee or Commissioners, and was likely to be misunderstood. For it has been with a former plan of mine presented with an entirely different face, but in which it is demanded in every particular, except one. When, therefore, I found that the Commissioners had not time fully to consider my proposals, or to answer me, I was about to withdraw it, and cast it from the window, but my intention, when expressed to the Commissioners, met so much with their disapprobation that I was left no alternative but, through reluctance, to place it there, where I had obliged to do just as I had it before the Commissioners, though possibly they being written under the circumstances above stated, there are matters in it which require some explanation, and some which do or may require alteration. I do not expect that those who have been opposed to the new system will be quiet or put aside the proposals of old associations. Such, as is usual, will probably continue more actively than ready such changes and proposals more responsible or respectable. I expect them to act in Canada, Ireland, one of the best officers and most experienced Captains in the British and Irish, did when it was proposed to adopt for the most serious these reasons. He, when assigned to the Parliamentary Commission, gave all the weight of his thirty-two long and varied experience in the subject against the change. He declared that those who opposed for the continuance of the present system, put in the strongest case that practical practice and practical experience in forty years ago. But the answer of the Parliamentary Commission to Captain Hume was satisfactorily (as I would now say to the advantage of the old system), "We have decided." The words under the sanction of the report were transferred to those I think and Captain Hume after being in command of one of them by some years, which occurred before another Committee upon the subject, attacked the case of his former opinion, and gave the strongest evidence in favour of the new system. I believe that the result of this plan will produce the same effect, with respect to it, upon many of its opponents, as were produced upon Captain Hume, by the use of the same. After giving a great deal of consideration, I am satisfied of the wisdom of the proposal. Let any unprejudiced person look at the facts and facts of this and other systems and he will at once see the advantage of it in the saving of time, trouble, and expense, both to the parties and to the nation.—B. J. L. January 21st, 1881.

MINUTES OF EVIDENCE.

NOVEMBER 11, 1879.

MR. THOMAS A. DILLON (producing a printing press) examined.

EVIDENCE.

Nov. 11, 1879.

Mr. Thomas
A. Dillon.

1. The VICE-CHANCELLOR.—Mr. Dillon, will you explain to me this machine, the subject of your last letter?—By this machine (which is a late invention) it is quite possible to print, either in type character or in manuscript character, in bound books, and by it the suggestions made by the Commissioners in their first report can be carried out with cheapness and certainty. For example, a Name Index, containing only the information now given in the Registry of Deeds Office in what is known as the "Prospective Dictionary Index," or combining therewith the information contained in the Abstract proposed by the Commissioners, can be kept up to the hour, and at least three copies of it can be made. One man and an assistant can do this with the manuscript character, and about four if in type. In case the Ordnance Survey name of town-lands be adopted, the Land Index can be kept up to the hour in the way suggested to the Parliamentary Committee of last session,* and in the report of this commission, and the objectionable blocks and transfers, which the Registrar of Deeds alludes to in his evidence as likely to obstruct the Land Index proposed by the Commissioners in their report, cannot take place. First I will show you the machine *overall*, commencing with print character; but you have the option of making the manuscript characters become virtually type, and you can set with them in every way as you would with type. I prefer type, but some may arise where the possibility of conferring on manuscript the character of type would be of inestimable value. This printing machine is not merely my invention, but has been modelled by my own hand, and I am very anxious to be examined strictly upon it, for my assistant in the Registry of Deeds Office, though he never saw it before, would, in ten minutes, be as familiar with its use as if he had spent all his life at it. Printing in bound books has never heretofore been attempted, though it has been often suggested. Sir Sidney Waterlow, the engineers of the *Penny* and *Graphic* newspapers, the Manager of the Dublin Steam Printing Company and the employees of the Queen's Printing Office, Thom's, are all agreed upon that. The invention has been entirely originated in Dublin. Here is a bound book, and in it, by this printing machine, you may print an Abstract, of any number of lines, in any page of the book, and in any part of the page; you can put in a new line or a full page of print. If one of the Commissioners will mark any part of a page of this book for me, I will print an Abstract there. (Dr. Ebrington, Q.C., marked a space in a page.) Type would be broken during the process of taking an impression from it if there was not what printers call a blanket under it; the blanket in this machine is covered, for the sake of appearance, with velvet. I fasten the book in the frame of the machine, and as the thickness of books varies, I have provided elastic bands to go over books, and keep the book in its place. There is a clamp or frame to hold the bar of stereotype block containing what is to be printed. The clamp is

so constructed that it can be made to suit the breadth of the block, which can, by this screw regulator, be brought over any part of the page. It is then screwed down, so as to give to the frame holding the stereotype the necessary pressure for making an impression. I have used stereotype because in printing such important books as those National Records, it would not answer to allow a printer to have the opportunity (as he would, with type) of (for instance) taking out an 0, and thus altering the amount in the entry say from £5,000 to £500. Here is a stereotype block of an abstract, and the Dublin Steam Printing Company will place the whole of their machinery at my disposal, to enable me to show you the working of my plan in all its details, and to prove that by adopting it all deeds can be placed on the record in an hour and a half after they come into the office.

2. Mr. Dillon having fixed the stereotype bar on the frame, and adjusted it for printing on the part of the page marked by Dr. Ebrington, the first impression was dull, but Mr. Dillon said that a printer and a compositor are two different things, and he did not profess to be a printer.

3. Dr. EBRINGTON, Q.C.—The nature of the impression is nothing—there is the machine, the type, and means of obtaining pressure, and the rest is matter of detail and simply artisans' work.

(After one or two more attempts Mr. Dillon made an accurate, perfect, and neat copy of the abstract.)

4. Dr. EBRINGTON, Q.C.—Your frame is the size of the book you are using, but, as I understand, there is no limit to its size, you could have any size of machine?—Of course. This size of book was taken because the Treasury Committee of 1874 decided that ten inches was the proper size. It is the Landed Estates Court size, if I don't mistake. Possibly the Commissioners would like to see printing on parchment carried out. I was the first person who suggested printing in public offices here, and when it was carried out on the Landed Estates Court deeds, some solicitors and others objected that the print could be obliterated. It was possible, I admit, to remove the print from the early Landed Estates Court printed deeds, but after some months' experiments in the Queen's Printing Office, I observed that they were using for these deeds a greasy parchment, and grease always rejects printing ink, but the parchment now used is specially prepared, and I will defy any one to remove print from it. To remove ink from the ordinary parchment, which was first used was the simplest thing in the world—rub it with a little soft soap and turpentine, and the print was gone for ever.

5. The VICE-CHANCELLOR.—Have you tried that with the present parchment?—Yes; I tried it with Colonel Wilkinson's map and failed. But the way I managed originally in my own plan was this—I printed in two inks, and if you took out one you strengthened the other. Mr. Thom, however, did not think that

* Land Titles and Transfer Committee Rep., p. 128, &c., Par. Pap., H.C., 244/78.

EVIDENCE.

Nov. 11, 1899.

Mr. Thomas
A. Bates.

necessary, and if you put more polish in preparing the parchment the print cannot be removed, I think.

6. How soon does the ink dry?—In about two or three hours. I would always like to leave it for a night.

7. Dr. ELKINGTON, Q.C.—You are now in the middle of the book, but suppose you were printing on the last page, would you not, according to the construction of that machine, have all the weight of the book on that page?—Yes.

8. That is the only difficulty that suggests itself to me—how you are to do away with the weight of the book which, according to that, must to some extent be hanging on the particular page?—The book could be held while the last page was receiving the impression, or I would put two uprights on the side for the book to rest on. I hardly thought that necessary, because anyone could hold the book during the minute or so it would take to print an abstract.

9. The VICE-CHANCELLOR.—Would there be any difficulty in printing in a book covered with the ordinary covers of bound books?—Not the slightest, I am going to do it. This was always regarded as a nonsensical chimera. This is very rough, but it is for the principle I am contending.

10. The LORD CHIEF BARON.—Certainly, for the principle—not for the manipulation.

11. The VICE-CHANCELLOR.—How would you propose to begin the process; this is a copy of the full abstract which you have printed?—Yes. If you wish to see a line printed, it can be done just as readily. Men laughed at me when I spoke of printing in a bound book. The Americans and the French now said to have attempted a solution of the difficulty and failed, but I think I have succeeded. Suppose that to-day you had an entry under the name of Walsh or Armstrong, and ten years hence wanted to add a line or any number of lines; you can by means of this register on the machine—put in the first one line after the last one of the old entry. So far—as regards printing in print character. For the next part I don't require printers, for I will transform your own handwriting into what I call manuscript type, and put a number of copies of it in any part of the book you may require in a few minutes.

12. Before passing to that, describe your first process as you would apply it to the Registering of Deeds beginning at the beginning?—Am I to do so upon the present system, or upon the system which you have recommended, which is thoroughly workable? If upon the old system I can do it, but not with the same facility, neatness, or comfort that I can work your system.

13. What do you mean—what is the difference as regards that?—I could not get the abstract books under the present system for a fortnight or three weeks.

14. But supposing that the abstract is brought into the Registry of Deeds Office ready for printing, what would you do with it, working out your scheme?—Immediately after it came in I would place it under glass in a locked box or frame, so that the printer would have no power of touching it, and if the document were long, I would photograph it instantly, so that the photograph could be cut up and distributed amongst the compositors like ordinary newspaper work, my object being to have all in the form of stereotype blocks as early as possible, for the official who would be charged with the duty of printing them into the book. I think you will find that if copies of your abstracts, or photographs of them (whichever would be most convenient, according to the length of the documents), were taken to a printing office, that in about three-quarters of an hour you could have them all in stereotype blocks.

15. Describe exactly what you would do to attain

that end, you have gone as far as putting the abstracts under a glass frame; or photographing them. What is to be done then?—The abstract in the frame or photographed copy of it is to be sent to the printer.

16. Dr. ELKINGTON, Q.C.—Put before a compositor, in fact?—Yes, and he sets up whatever is before him, whether it be the abstract looked up in a box, or the photographed copy.

17. The VICE-CHANCELLOR.—Is ordinary type?—Yes; and by the process of stereotyping, which you will find in my patent, in less time than I have been talking of it you may have a paper-mache result of the abstract.

18. Dr. ELKINGTON, Q.C.—That is called the "dong"?—Yes; that is the technical name of it. It is a thick cord of paper-mache, and when the impression is made on it it is termed the "matrix." That being obtained, the first thing is to set the document up in type; the next is to see that it is thoroughly accurate.

19. The VICE-CHANCELLOR.—To prove it?—Yes; then you get the "dong" and make the matrix, and from that the stereotype block. If there are a number of grantors, say ten, it only involves a little transposition of the type and another mould to produce copies of the abstract for each name of grantor. If you had Brown, Jones, and Robinson as grantors, the first will have Brown in the margin, for insertion under "Brown" in the index; the second will have "Jones" in the margin—Jones and Brown being transposed in the type for that purpose, and so on. A transposition in so many different places as there are names. Yes; and once you have the type set, transposition is easy, and printing would only involve the slight trouble of putting each impression on its proper page of the book. There is no difficulty about repetition; having proved it, and made the necessary transpositions, it is stereotyped.

20. Before you proceed—after each transposition, bringing the name of one particular grantor into the margin, would you not then take off an impression of that on a separate matrix?—Yes; but that is a very simple operation. People reading about this imagine it takes a great length of time, but when I tell you that the stereotyping of the largest newspaper in the world only takes an hour, you will see how rapidly this could be done, even by the old slow method.

21. The LORD CHIEF BARON.—What?—Producing the matrix—this is one (exhibited). The substance, before the print is on it, is called the dong, but converted into this form it is called a matrix; molten type-metal is then cast into it. The metal for stereotyping is used over and over again; if you worked from type it would become worn and battered. No paper is the world, of any size, is now printed from type, for (among other reasons) this injury to type.

22. Dr. ELKINGTON, Q.C.—Then you have to take, of course, three of these matrices for the three grantors, which differ from each other only in this, that the names brought out in the left hand margin are different; and you get three blocks which will go into three different pages of the book?—Yes; but I would ask you to see the whole operation performed at the Dublin Steam Printing Company's office, in Abbey-street, for if I explain over and over again, I may fall short somewhere; it is like trying to describe a watch—unless you see the mechanical accuracy of its several parts, as well as the wonderful simplicity of the whole, it is difficult to understand. However, I have the three impressions from the one type and transpositions.

23. The VICE-CHANCELLOR.—That is in the case of three grantors?—Yes. You have three blocks with the abstract repeated on each. The three would average in weight about four pounds; but these could be melted over and over again, adding a little new metal now and again for waste. There are about sixty deeds registered each day, and in three-quarters

of an hour these would be all in type, proved, and stereotyped.

34. Judge WALSH.—How many people would you require for that?—In the early part of the day I would keep a man working alongside the Register. On an average it would take from five to eight minutes. That is the average I took at the office of the Queen's Printer. If you worked by logotypes, however, neither counties, baronies, parishes, nor "consideration in the deed," need be set up, and if you use the Ordnance Survey denominations, these will be nothing to be set up, it will be nearly all logotype.

35. The VICE-CHANCELLOR.—Except ordinary matter?—No; those are all cast in logotypes—just as the month and the year are.

36. The LORD CHIEF BARON.—And you would do that with Ordnance Survey denominations too?—Yes; I would make them all logotypes.

37. Dr. ERNSTON, Q.C.—Then, of course, there would be a very narrow margin of words to be set up in type for each abstract?—Nothing, in fact. I have myself used the logotype abstract against a man writing it, and there were not ten seconds between them. I had not the logotypes made; but, for the experiment, I gathered ordinary type together.

38. Now, you have sixty abstracts in three-quarters of an hour in the shape of stereotype plates?—Yes.

39. The VICE-CHANCELLOR.—Is that on the supposition that they all come in together?—I would have them all together.

40. Do you propose that the abstracts should, as they come into the office, be handed to the compositor, or do you prefer that the whole should accumulate until a particular hour of the day, and then all headed over?—As Mr. Dix stated in his evidence, if you go to the Registry Office you cannot find the deed but sent in on the index, which may be the most dangerous against you. I therefore propose that as a deed comes in it should at once be placed on the Registry.

41. What you proposed, as I understood you, was that when an abstract was brought in it should be set up in type from the original—if it was a short one not requiring more than the work of one compositor for a given time—that it should be put in a box with glass over it to protect it; but that if it was lengthy it should be photographed, and the photographic copy cut up and handed to several compositors, each of whom would put his piece in the galley, from which the stereotype is taken?—Quite so—after it is proved. That is the whole process.

42. Would not you require a separate matrix and a separate stereotype block for each grantor?—Certainly; but the stereotype, though a big thing to talk of, is but a small thing to make or work.

43. You have three blocks for three grantors. Is there any difference in the body of the block, or is the only difference in the name on the margin on the left hand?—The names are transposed in each entry. Take a deed with Brown, Jones, and Robinson, as grantors, when I have Jones in the margin I have Brown and Robinson in the body, and so when Brown and Robinson, respectively, are on the margin.

44. Would there be any difficulty in having the actual body of the abstract intact for all, and merely prefixing the name of Robinson to one entry, Jones to another, and Brown to the third?—There would not be the slightest difficulty, it would be a vast improvement on my proposal, and it gets over nearly all transposition at once.

45. Then, all the grantors would be in the body of each abstract?—Yes, and the particular grantor, under whose name the respective entries were made, brought out on the margin.

46. We have now got the stereotype blocks, and

you have shown us how they are printed; what do you come to next?—The next thing I want to show you is that objections raised as to blocking the Land Index either do not exist, or can be got over if the Ordnance Survey denominations are used, and you open an account for each, as you state in your report. I have a book here to show you that, whether in names or lands, the supposed difficulty of blocking is got over. First, you would probably wish me to explain, however, the process of printing in manuscript character.

37. You had better finish the subject you are on first?—I don't in the slightest degree claim the credit (as your Secretary knows, and he has given me great assistance in this) of having invented or discovered this process which is now known as chronograph; it is the application of it which I claim credit for—the application of it to this particular purpose. And I may here mention another invention which might probably be made use of—the installing of parchment, paper, or linen. When in London, the other day, I went down to the works where this invention is in use, and dipped my pocket-handkerchief into the liquid used for this purpose. Before I got home my handkerchief was perfectly dry, and was, in fact, a thin sheet of metal. That is not my invention either; but it is used for expelling bottles, instead of the tinful or tinful formerly used. So that in considering the durability of paper or parchment, you may now have a new factor to consider.

38. The LORD CHIEF BARON.—Could a person write upon a sheet of paper that had been installed in that way?—Certainly; you would just use more of a chemical lime in the ink. [Witness then explained the working of the chronograph.]

39. The VICE-CHANCELLOR.—What advantage is that supposed to have over printing?—My feeling is with print, but, if you don't want to go to that trouble, the chronograph is a system of printing with this machine in manuscript character.

40. The LORD CHIEF BARON.—Without the necessity of employing tradesmen?—Yes; it could be done by any of the present staff of the office.

41. The LORD CHIEF JUSTICE.—How many impressions will that one writing on this preparation give?

Mr. LANE, Q.C. (Secretary).—It will give from twenty to thirty easily.

Mr. MILLER, Q.C.—I have taken sixty of them, with the greatest ease, off the one original.

42. The VICE-CHANCELLOR.—How do you apply that, Mr. Dillon, to the bound book?—I have a wooden bar, in place of the stereotype bar, which bar is covered with the chronograph preparation, and on it the original writing is done. I then place the bar in the "slump" of my machine, as I did the stereotype block, and print as I did from it.

43. You would first write the entry on paper, transfer it to a wooden bar, covered with this peculiar substance, and print from that?—Yes; and if a copy of the Day Book is made in the Registry Office with this particular ink, you get as many accurate copies as you want of this Day Book and a Names Index all right off at once, without the trouble of comparison of them.

44. Has there been any opportunity yet of testing the durability of this ink?—Thanks to your Secretary, I have discovered that we can do it in printing ink.

Mr. LANE, Q.C. (Secretary).—What Mr. Dillon alludes to is that I got some of the chronograph preparation in London, in a tin case, and the case not being full, I put in a piece of a newspaper to fill it up. When I got home I found that several words were taken off quite clearly upon the preparation. I showed it to Mr. Dillon, and what he has done with it since I cannot tell.

Mr. DILLON.—It was an invaluable discovery.

45. The VICE-CHANCELLOR.—Then you go further,

EVIDENCE.

Nov. 11, 1875.

Mr. THOMAS

A. DILLON.

BRIDGEMAN.
—
Apr. 15, 1879.
—
Mr. Thomas
A. Dillon.

Mr. Dillon, and say that that process can be worked with printing ink?—Yes, and as far as the mechanical process is concerned, I conclude by saying try both. The Dublin Steam Printing Company will show the whole thing worked out, any time you chose to name, free of any expense to the Government or to me.

46. JUDGE WALSH.—When an abstract is brought in, what is the first thing to be done if the second process—the printing in manuscript character—were adopted?—It would be written out with the chromographic ink in the office, and compared, and if correct it would be sent or handed to me, and I would put it on the index book in its proper place, just as with the stereotype block.

47. THE VICE-CHANCELLOR.—It is copied in this peculiar ink in the Registry Office and compared, and once its correctness has been proved, it is impressed upon this gelatinous stuff or composition, and it becomes the thing you print from, instead of the stereotype block?—All appearing in manuscript, just like lithograph.

48. Can you let us see the actual mode of printing in the best method you have described?—Yes. I have all the materials here, but it is now late.

49. But, now with regard to opening books in account form for particular denominations?—The Parliamentary Committee in England have suggested it, and every one who has considered the subject, whether the registry is on the Scotch System or otherwise, all run in the same line, that if it could be done it would be a beautiful thing to have an account opened, so that when you took up the Index of a particular denomination, you could see every act done against it at a moment's glance. A difficulty was raised by the Registrar of Deeds, viz., that it would bring about "blocks." This does not obtain, as I will show you. There need not be five minutes' delay in commencing either, if the Ordnance Survey names of townlands are to be used.

50. Assume that these are to be the only names to be put upon the Registry?—That removes the only difficulty. It is admitted that there might be a great many more entries upon one townland than another—when you have dealt with one townland, it might be that it would not be acted upon, again until the book was finished. Experience shows that if a townland has been largely dealt with this year, it is unlikely that it will be dealt with again for some years to come. If a man buys a property now, it is not likely that he will be selling it again immediately. That is not the case in this country, though it may be so in foreign countries and in Australia; consequently, if there is a large dealing this year with a townland, you may rest assured that it won't be heard of again for a long time. It is an error to assume that because say the townland of Blackacre had 130 entries against it during the past ten years, space should be left for 130 in the next ten years. Instead of leaving so much blank space, I have devised a means of introducing leaves without the possibility of extracting one—which is quite as applicable to names as to lands. I have a book here, with the assistance of which I can explain the system at once. Take a particular name, say Brubason or Burke. This book is locked. The first entry made on the 1st January, 1880, is Burke or Blackacre. Ten minutes or an hour afterwards a name comes in that should take precedence. In that case you place the abstract on another leaf, and put it into the book in its proper place, and so a check I have at the top of the page the words, "Immediately preceded by Bright," should that be the name, and at the bottom the words, "Immediately followed by Burke," if that be so.

51. DR. ELIASZOWSKI, Q.C.—But if there should be one between Bright and Burke already?—Then it would be stamped with sentence "Immediately followed by (say)—Bury and Burke." By that check a leaf cannot be taken out. You therefore, begin the system to-

narrow, not with a large book with enormous space allotted to certain townlands or names, against which many acts may have been recorded in the past ten years, and on which no acts may have to be entered for years to come. Beyond a page I give no space at all. [Witness explained book, and its construction.] As regards the printing, I would ask you to reconsider whether you adopted the printing in type or in manuscript character, this machine is equally applicable to introducing either into bound books. The arrangements could be made to suit either or both. If you so desire, let your secretary have sixty abstracts sent down from the Registry Office to the Steam Printing Company's office, and see how long it would take to have them set in type, stereotyped, and ready for me to work from. Then ask how long it would take to write up a day book in this peculiar ink, and on this composition—which I may say, is very cheap, only 2s. a pound, not worth talking about, and when you have tested both, decide between them.

52. THE VICE-CHANCELLOR.—The stereotype would not cost much either—the blocks don't they at all melted again?—Quite so.

53. The only advantage that could be suggested for the other, is that it could be done in less time?

JUDGE WALSH.—And that any mistake in the copy would be impossible.

Suppose you want to try a search made upon the two systems, I offer to put up a five years' book with index and abstract together, to test it on this system.

54. THE VICE-CHANCELLOR.—What do you mean?—I will make up five years if the copies are sent down to me from the Registry of Deeds Office, or rather sent down to your secretary, on this MR. plan. Under his eye, I will also put up 250 abstracts, or 250 entries with the abstracts attached, free of expense, to test the ease of reading or searching from print. I remember the old searches—men who were there during Mr. Leane's inquiry—last year now—saying "If we could only do such a thing, it would be a great and good improvement," but they thought it impossible.

55. Is that to put the abstract and index both on it?—Yes; and I will do both for you free of cost—de-lighted to test it in the manner just stated.

56. THE LORD CHIEF BARON.—Suppose now, that your plan for printing by stereotype was adopted, and let us consider an ordinary day's work in the office—I believe there are about sixty or seventy deeds registered in the course of a day—how many tradesmen do you consider should be employed in the Registry Office with a view to carry out your scheme for printing by tradesmen, I mean employers as distinguished from clerks, compositors and tradesmen of various descriptions, I will afterwards ask of what description they are?—The way in which I worked out an answer to such question was this. I noted very carefully the time that it would take ten men to do it all, and I think ten men are more than sufficient to do it, and they would do it within two and a half hours each day.

57. You would require ten tradesmen in the Registry of Deeds Office—compositors, printers and all?—Yes, but I could suggest a more economical and better plan. These men would not be occupied in the early part of the day, because the deeds come in then very slowly. It is only after the court business is over that they come in with a rush. Therefore I would suggest to send an officer down with the abstracts to the Queen's printer's, and in about fifteen or eighteen minutes the whole of the work could be done, and in the form of stereotype blocks. I am anxious that you should see this done. If you send down fifty abstracts to the Dublin Steam Printing Company they will be set up in something like fifteen minutes.

58. Is your suggestion then that the printing should not be done in the office?—Inasmuch as Land

Estates Court deeds are printed in a public printing office, there is no reason why the abstracts should not be done also in a printing office. If you give a deed to be copied out by a scrivener clerk in the Registry Office, is there any reason why it should not be done in print in the Government Printing Office. If you said to me to-morrow "We want this done in the most economical way, and intrust the work to you as our engineer," I would take it down to the Government printing office photographed, or in a glass case, have it set up in type, proved by an official from the Registry, and returned there in the form of a stereotype block. In this way you could start to-morrow without getting up a printing establishment in the Registry Office. But you might try both. Ten men would do it all, but they would be idle in the morning and working after hours. I would keep two men working constantly, and when a rush came I would take the work down to the Government Printing Office, and have

the stereotype blocks up and pointed into the books ready for the morning.

55. JUDGE WALSH.—How many of these printing presses would you require?—Two—one for lands and one for names.

56. Would they do all the work?—Yes.

57. The VICE-CHANCELLOR.—We will now adjourn the further consideration of your invention to this day week, and in the meantime I would wish you to consider the best mode of having it done in the office, for there are many and obvious objections to sending such documents to a public printing office, or out of the Registry of Deeds Office.

58. The LORD CHIEF BARON.—Persons searching would be able to search on the rough day book while these abstracts were being made up.

Mr. MANN.—That is all they have to work on now for a longer period.

EVIDENCE.

Nov. 11, 1879.

Mr. THOMAS A. DILLON.

NOVEMBER 13, 1879.

Mr. MARK PERRIN, Registrar, Judgment Registry Office, examined.

Nov. 13, 1879.

Mr. M. Perrin.

43. VICE-CHANCELLOR.—You have sent us in a very full return of the staff and organization of your office. (*Infra*, p. 132, &c.) Now, you have two sets of judgments to deal with in your office, one the judgments preceding 1850, and the other the judgments subsequent to 1850. And they are subject to quite different considerations. Those before 1850 affecting lands, and those since 1850 not affecting lands. What is the object of the registering judgments obtained since 1850?—In case of bankruptcy the law says that unless they are registered within twenty-one days from the signing, they shall be deemed fraudulent and void against the assignees.

44. Are the official searches made for judgments obtained since 1850 numerous?—No. Only one or two each year.

45. These are searches of which you have to give certificates?—Yes.

46. How do the public ascertain the registration of these judgments for commercial purposes?—I think it is through publications known as "Black Lists." Gentlemen connected with them search every week in my office, and the judgments registered are published in the lists.

47. That is the class of people who principally go down and inspect the books in your office for judgments obtained since 1850?—Yes; but several of the public come also. I cannot tell what their object is. I think, however, few of the mercantile community ever come. It is only for purposes connected with the sale or mortgage of land that they come.

48. That is as to the judgments before 1850?—Yes; but they frequently have directions to make searches for judgments in general terms, and they are not content with making searches for recognisances, crown bonds, and *lis pendens*, but go on and search the others also.

49. Are there different classes of books kept for the two sets of judgments?—Yes—one set of books for recognisances, crown bonds, *lis pendens*, and judgments obtained before 1850—these are all charges on lands—and another set of books for judgments obtained since 15th July, 1850.

50. Are the searches for charges on land numerous?—About two thousand six hundred a year is the general average.

51. I believe you sent in pattern sheets of your books in a return in reply to queries addressed to you by our Secretary? (*Infra*, p. 134.)—Yes, on 14th June, 1878.

52. And we may take that return now as part of

your evidence here?—Oh, certainly. You asked me for a description of all the different books in my office, and I mentioned them at the beginning of that return. (*Infra*, p. 132.)

53. What do you mean by the appropriate register there?—I mean whichever of the two classes of books we have in the office would be the appropriate one.

54. As to the second class of books, you say they are in dictionary order of two letters?—Yes.

55. Why did the salaries fall off in 1877 and 1878?—Because one of the clerks died, and the vacancy among the junior clerks thus caused was not filled up.

56. Has your staff not been filled up?—No; but in the staff I have named in this return.

57. You have your full number of clerks?—No. The full number is set out in Lord O'Hagan's Act, but I have enough.

58. You have not the full number named in the Act?—No.

59. How many more were named in the Act than you have?—There were three junior clerks.

60. And you have only two?—Yes.

61. The LORD CHIEF BARON.—You have enough at all events?—Yes.

62. Could you tell me the number of judgments before the 15th of July, 1850, re-registered within the last 5 years?—Yes; this return shows it to be 2,630, and you will find there the five years before that also.

63. The VICE-CHANCELLOR.—How much was that?—3,853.

64. The LORD CHIEF BARON.—Of judgments before July, 1850, re-registered within that five years?—Yes.

65. The VICE-CHANCELLOR.—There has been a falling-off in the five years as compared with the previous quinquennial period?—Yes. They fall off about 36 per cent. each five years.

66. The LORD CHIEF BARON.—I find that in 1855 as many as 4,324 judgments were re-registered?—Yes.

67. Mr. MANN.—And in 1870 it fell down to 2,794, and the next fifth year, viz., 1875, to 1,316?—Yes.

68. The LORD CHIEF BARON.—These are the only judgments in your office now that it would be necessary for the purchasers of real estate to search for?—Yes.

69. Would you give me the number of other instruments registered—that is, crown bonds and recognisances?—You will find that also in my return of the 14th of June, 1878.*

* App. to 1st Report, p. 167.

ENTRANCE.

Nov. 12, 1895

Mr. M. Perin.

90. Mr. MANNING.—I presume, Mr. Perin, though the return does not state so distinctly, that there are crown bonds and recognisances re-registered, and this figure includes the re-registrations?—Yes.

91. The LORD CHIEF BARON.—That is, there would be 3,356 entries in your office in reference to charges upon real estate?—Yes.

92. Now, could you give me roughly about how many official searches you have in the course of the year for charges upon real estate?—About 3,500 in the year.

93. And about how many official searches have you for instruments not charges upon real estate?—About one or two.

94. Then I may say there hardly ever is a search of that description?—Hardly ever.

95. In fact, search about those other instruments would be only for information as to personal credit, and usually such searches would be confined to acts that took place a short time before?—Yes.

96. When staff, in your opinion, would be required for the office, provided the books containing the charges upon real estate were transferred to the Registry Office?—I think we would require the same staff, except the two searching clerks. I think that the entries that are charged upon land don't come to more than about 700 a year on the average, and—

97. I thought you said about 2,600?—No; the searches would be about 2,600, but there would only be about 700 entries of judgments, &c.

98. At all events the searching clerks would not be required?—No.

99. What should be then the staff of the office, in your opinion?—I don't think a Registrar, as a separate officer, would be required. At Westminster one of the Masters of the Chancery Pleas Division holds the office of Registrar of Judgments. I think a chief clerk, as at present, and assistant clerk, and two others would be required. There ought, I think, to be four clerks.

100. And the substantial work at which that staff would be engaged would be registering judgments and entering satisfactions upon the Registries?—Yes; and in assisting the public coming there to make searches.

101. Are there many searches made by the public in reference to acts that are not charges upon real estate?—A good many by those people representing the Black List, and people of that description, and some by the general public too, but for the greater number by the Black List people.

102. The judgments at present are registered by a separate memorandum being brought in each case, and handed in to you, containing various particulars?—Yes. (See form infra, p. 134.)

103. And that memorandum is signed by one of the officers of the court in which the judgment is obtained, and stamped?—Yes.

104. Do you see any practical difficulty to prevent the clerks in the divisional offices—say, for instance, in the office of the Exchequer division—sending you down at the end of each day a list of the judgments prepared in the form in which your book is now kept?—I don't.

105. And of your making entries in your book from that official list?—I don't see any difficulty in that.

106. That would save the parties the expense that there is at present of the preparation of separate memorandums?—Yes.

107. And probably the time of the clerk in the divisional office would not be occupied to a greater extent than at present, in checking these separate memorandums which they are obliged to sign?—I should say not.

108. I want more to see what Mr. Perin's view of the subject is. But if these memorandums were

sent down every day from each of the three divisions, upon paper in a particular form, retained in the office as your authority, bound up at the end of the year, that would be your authority for entering the judgment?—Yes; the same authority as now, with the separate memorandums.

109. And that would render the work of the clerks in your office something less than it is—there is considerable time occupied in receiving separate memorandums from several persons?—Yes.

110. You would first make a transcript of this list?—Yes.

111. And then index it in dictionary order?—The current book is kept in dictionary order.

112. Then, if the judgments sent down from the divisions were filed, and the entries from that list made in alphabetical order—that is all that would require to be done in your office?—I think so; or even less would then be necessary. All that you would want to do would be to make a dictionary of these memorandums that come every day.

113. And it would require to have these entered in dictionary order?—If I had an index as dictionary order, and you sent me down twelve names as one sheet, and I filed that as you sent it down to me each day, with a dictionary index, I would require to make no other entry.

114. You would enter the names of the persons against whom the judgments issued in their proper place in the index?—Yes.

115. The VICE-CHANCELLOR.—Are the entries at present made in any one book in chronological order as they come in?—Yes; in the day-book, which only gives the name of the defendant, and the class of instrument registered.

116. And from what are the other indexes or registers compiled?—From the memorandums; the memorandums are then passed on for that purpose.

117. The LORD CHIEF BARON.—Those official lists that I suggested, would, in the first instance, supply the place of the day-book, and also the place of the separate memorandums?—They would.

118. Do you see anything to prevent that book being kept in a central office belonging to all the divisions of the Supreme Court, such as the new office of record of writs would be?—I do not; if it is a central office.

119. It must be a central office—it cannot be an office of any one division?—Yes; that is what I think we are at present; we are a central office.

120. I am not dealing with the question of whether your office should not be amalgamated with it, but with the question of what is the cheapest and best way of accomplishing this end. Do you see any inconvenience if the books of your office, which exclusively deal with charges upon real estate, were transferred to the Registry of Deeds?—No; I think they ought to be transferred to the Registry of Deeds Office. I have said so before.

121. Then, subject to the question of what the particular office should be in which the books are to be kept which contain judgments, not charges upon land, you would substantially agree in the recommendation of our report?—Yes.

122. Mr. MANNING.—In one particular the law supplied officially from the courts would be more perfect, because now the duty of registration is thrown upon the party that registers, whereas under the other proposal the officers of court would supply all that information?—Yes; but then that might lead to a great number of useless registrations, for often a judgment is paid off at once and never registered.

123. But it would be more complete?—Much more complete.

124. Have you any means of forming an idea as to what proportion of judgments actually entered pass into your office?—More than four-fifths, I should say.

125. Then I don't suppose that, having regard to

the books kept upon your present system of dictionary order of two letters, there would be any difficulty in accommodating those books to the larger number of judgments that would come in under the system proposed by the Chief Baron?—Oh, no; but I should mention that at present judgments that are under £20, under recent rules of the High Court of Justice, are not registered; and if all the judgments were to come in, all the £20 judgments would be included, which would bring in a large number that we have not at present.

125. Judge WALTON.—Would it interrupt your business to have a list sent down at the end of each day, instead of the judgments being sent in as now during the day one by one?—They would not be entered up as quickly as at present. Now they are entered up the moment they are brought in, but they could not be entered up under the system you suggest until the next day.

127. They could be entered up that night, could they not?—No; if we get thirty judgments sent down to us at the end of the day, after the other offices close, I don't think they could be entered up as quickly, at all events, as under the present system.

128. Mr. MELBOURNE, Q.C.—What is the average number of judgments registered?—About 4,000 is the annual average of judgments registered; in many years (this year, for instance), we have had many more. We want, however, between 4,000 and 5,000 as our average.

129. Can you say what is the largest number of judgments registered in one day?—I cannot tell you. There have been more registered this year than in any year since I came to the office.

130. What would be a fair daily average in busy times?—About thirty a day.

131. Regarding the question of searching for judgments as *sua officio* find, what is your opinion as to the use of registration of judgments?—There is a clause of the Bankruptcy Act that requires them to be registered within twenty-one days, and unless there are books like those kept in my office the public would have no ready means of knowing what judgments had been so entered up.

132. The Bankruptcy Act of 1857 requires the registration of judgments—excluding that also, is the only use of registration to afford information for commercial purposes—judgments filed since 1851?—Yes.

133. You were asked about having a central office for the registration of judgments. Suppose that a memorandum of all the judgments in the Bankruptcy Division were sent to the Queen's Bench and Common Pleas, and registered in the offices, respectively, of those divisions, and that in the same way, Queen's Bench and Common Pleas judgments were sent to the Exchequer, and so on, would there be any objection to that system instead of having a central office?—That would be substituting three registration offices for one as at present, and it would give a great deal of additional trouble—entering three times in place of only once.

134. I understood you to say there were only thirty judgments a day registered—if they were spread over all the divisions there would not be much labour in entering them?—There would be three times the labour there is at present, at all events.

135. The VICE-CHANCELLOR.—Did you ever consider how long it takes to register a judgment?—From five to ten minutes.

136. In your class of books?—Yes. A long list *pendens*, however, where there are a great number of names, takes a greater time than one of another class.

137. Mr. ARMISTEAD.—What would you think of going back to the old plan—registering the judgment against the defendant, and letting the judgment book of the divisional court be the index?—It would be a greater trouble to the public. A central office would be better, and I don't see what would be gained by your proposal.

138. You would get rid of the registry of judgments altogether?—You should have a separate clerk in each office to enter up these judgments, and would it not be better to have them in my office.

139. Is not there a judgment book kept in each of these divisional offices, with the judgments entered up in the names of the plaintiffs?—Yes.

140. And under the old practice it was entered in the name of the defendant?—Yes.

141. That is what I suggest—my idea was that your office might be got rid of altogether in that way?—My idea would be to have the information for the public as much as possible in one department.

142. Then you propose to get rid of the indexes kept in the divisional courts altogether?—Yes. I don't see what good they are.

143. The LORD CHIEF BARON.—You would not object to the divisional courts keeping an index if they required it for the purposes of the office?—Oh, no.

144. Each court must keep an index of the various cases, showing the acts done in each, and necessarily must keep a list of judgments in it?—Yes; as the one book is now kept it must necessarily be such a record.

145. Mr. MELBOURNE, Q.C.—At present, if a person wants to make a search for a judgment for commercial purposes, must he not search? not only the registry of judgments, but the books in the different divisions of the courts?—Yes.

146. For, in the first place, you exclude small judgments?—Yes.

147. And in the next place there is a considerable number of judgments not registered at all?—There are some.

148. So that if you had a central office you would have to search that central office and the divisional offices as well?—No; not if the Chief Baron's plan were carried out, for the officer of each divisional court would then send to the central office a return of all judgments in his court.

149. What is the cost of registration of a judgment?—The costs out of pocket are about 7s., there being 6s. 6d. stamp duty.

150. But it costs a defendant £1?—Yes.

151. Mr. MELBOURNE.—Is there any charge made to the public for hand searches?—Yes—1s.

152. And for that anyone can search everything in the office?—Yes.

153. The VICE-CHANCELLOR.—How many clerks are at present employed in your office in indexing?—Two clerks—a junior clerk and a writing clerk. We are allowed to use his temporary services during the vacancy caused by Mr. Cathers's death, which has not been filled up.

154. Do you approve of the system of bringing in writing clerks to discharge duties of such a nature?—Certainly not.

155. Don't you think there is a considerable risk incurred from not having such work done by regularly trained men?—There is, certainly.

156. The position of a judgment in regard to priority might be altogether lost by the neglect of an inexperienced writing clerk brought in?—We always compare their work; one of the clerks must always have all work done by a writing clerk compared.

157. The LORD CHIEF BARON.—Do you think that the work of indexing judgments of this description is properly the work of a writing clerk at all?—I do not.

158. Mr. MELBOURNE, Q.C.—Do you find at times extra pressure put on you for searches for judgments?—Yes. During the busy times of the year there are always more searches made. For instance, in November and May there are more than at other periods of the year.

159. But that only applies to *sua officio* find, and there are practically no official searches for information where loans are not concerned?—I should say that there are but few hand searches made during vacation, but in the busy time of the year there are very many hand searches.

EVANS
Nov 17, 1878.
Mr. R. Paris.

EXAMINER.

Nov. 15, 1878.

Mr. M. Perrin.

100. What number of volumes of books have you in use in your office altogether?—The books for registering judgments amount to 28, and each, what I call a book, is divided into four volumes. Of the new series of books, we are now using volume No. 23, which is not divided.

101. If the books affecting lands were transferred to the Registry of Deeds Office there would be then but 28 volumes?—Twenty-eight books; but each book consisting of four large volumes.

102. And would that embrace all the books containing entries affecting lands at present in use?—Not affecting lands.

103. The VICE-CHANCELLOR.—What Mr. Perrin said was that if the books that you mentioned—the books relating to land—were taken away, there would be 28 books, each consisting of four volumes.

104. Mr. MERRIN, Q.—How many books have you at present containing entries of acts affecting land?—There was no separation of the books till 1872. Since 1872 we have 23 books. We see now in No. 23 of all acts affecting lands that have been recorded since the 11th of January, 1872.

105. And those are the books that it would be necessary to transfer to the Registry of Deeds?—Yes.

106. Mr. MERRIN.—And they are kept in ledger form like an ordinary merchant's ledger?—Yes. At the head of the page the name is entered, and then whatever is entered against that name is put on in chronological order.

107. The VICE-CHANCELLOR.—Then there is one account against each separate individual?—Not against each individual, but one against all having the same Christian name and surname, for instance, all the "John Jones" on one page, and all the "David Jones" on another, and so on.

108. And how are those arranged in the book?—As they come in, in chronological order. Each folio is pagel in chronological order, and we have an index of that kept in dictionary order.

109. They are entered then altogether irrespective of their dictionary order, just like a merchant's ledger, and you get access to them by the index?—Yes.

110. Do you find any inconvenience from that system?—None in the world.

111. Don't you find it a vast improvement on the late system?—Oh, yes, a wonderful improvement.

112. Mr. MERRIN, Q.—How many entries are necessary to effect a complete registration of a judgment?—First, the entry in the day-book, and, second, the entry in the register.

113. The LORD CHIEF BARON.—And the indexing of them?—Yes.

114. The VICE-CHANCELLOR.—This system is entirely applicable to judgments and other charges upon lands?—Yes.

115. They are the charges that are entered in ledger form?—Yes.

116. The judgments since 1850 are entered at once in alphabetical order in the other books from the memorandums themselves, there having been first an entry made in the day-book?—Exactly.

117. And are the charges against land, including judgments before 1850, entered in the day-book?—Yes, everything is entered in the day-book as they come in.

118. Mr. MERRIN.—You keep a current index of names in alphabetical order, and then you consolidate it in dictionary order?—Yes. At the end of each year we make a full dictionary index.

119. The VICE-CHANCELLOR.—In the registry of charges upon land you have a new book every year?—Usually, but we only open a new book according as an old one is finished.

120. And how do you carry forward your account from one book to another?—We put at the end of the page, "carried on in book" so and so, at page so and so.

121. And do you continue on with other names in the original book if there is room, or do you transfer everything to the new book when a blank occurs?—For instance, suppose there is a folio open for "John Jones," and that being a frequent name, the folio gets filled, but in the folio for "John Simpson," there are only half the number of names, what do you do then, a book having arisen under the name of John Jones?—We continue the entries against that name in the first unoccupied page of the current book, putting "John Jones" at the head of it, and the words "continued from book so and so, page so and so," writing at foot of the page where the book has arisen the words "continued in book so and so, page so and so."

122. And do you work on the name of John Simpson still in the old book?—Yes.

123. The LORD CHIEF BARON.—And by following up these references at the bottom of each page, you discover to all the acts against that man?—Yes.

124. The VICE-CHANCELLOR.—How do you construct the indexes to these registers?—When we first begin an index it is in alphabetical form, a page going to each letter. We then enter the names chronologically, as the judgments come in under their proper letter, and at the end of the year we break that into dictionary order, and at the end of two years the same way. At the beginning of this year from January, 1872, to the end of 1878, was indexed in that way, and that is all in dictionary order. We keep a current index for the current year.

125. And that index will show you the ledger and the folio of the man you want?—Yes.

126. Therefore, if there were half a dozen accounts in the name of John Jones, you will find them all referred to in that index?—No; the index will only refer you to the first account of John Jones.

127. Suppose we take a common name like John Jones—of which there are a great number—when you look to the index you will see the entries of all these different ledgers and different folios in which that name occurs?—No; the index will only give you the first folio in which the account for John Jones was opened, and at the end of that folio you will find a reference which tells the book and folio to which the account was carried forward.

128. Judge WATKIN.—And that saves repeated entries?—Yes.

129. The VICE-CHANCELLOR.—The index having first referred you to where John Jones's account was first opened, you depend upon that folio to tell you where the account was transferred to?—Yes.

130. Do you find that to work well?—Yes.

131. Is there any inconvenience at all in transferring the accounts from one book to another in that way?—No.

132. Do you ever make a transfer to another folio in the same book?—We may do so once or twice, the occasion arises.

133. If there were a number of blank pages at the end of your book, when the first blank arises would you do that?—There are no blank pages. We fill in that ledger chronologically, each page. When fresh charges come in a new account is opened.

134. Mr. MERRIN.—Could you tell us how long one of the usual five years' searches for judgments?—No period, recognizances, &c., took before the adoption of the present system?—It would have taken about a fortnight, but that would depend very much upon what the name was. For instance, in "Smith" they had to look over about two or three thousand. But as soon as the clerks made a search against John Jones, for instance, they made a slip of paper a return of all the entries that were found against that name, and they kept that slip, and if another requisition for a search came in they would only take up the search from the date where that slip ended. Accordingly, we had slips in the office that went back to 1844.

135. The VICE-CHANCELLOR.—And was it the pro-

time to depend on the entries found on a previous search without making a fresh search?—Yes. If they had not depended on those slips they would not have got through the work in a year.

190. Were there no indexes?—None at all then.

191. Mr. MANDOK.—And that search that used to take about a fortnight, how long does it take now?—About five minutes.

192. Between the lodgment of a requisition for a search and the return, make what interval of time it takes generally?—They are ready the day but one after the requisition is lodged.

193. The VICE-CHANCELLOR.—Do you think it would be convenient that all bills of sale that are now registered in the Queen's Bench should be registered in your office with the judgments since 1850?—I do.

194. What would be the advantage of that?—The people who search for judgments since 1850 are those who wish to find acts affecting the credit of individuals, and bills of sale are of the same character.

195. And I suppose a bill of sale registry index could be constructed on the same principle as the one you have for judgments?—Yes.

196. Mr. MANDOK, Q.C.—You were asked a question as to bills of sale, and I understood you to say that the persons searching for them were merely persons wanting information for commercial purposes?—Yes.

197. And are not they usually persons who want to know what acts have been done affecting certain personal property—more a search against personal property than against the position of the person who gives the bill of sale?—I think not. I would have thought that the searcher would be anxious to discover how the person searched against was circumstanced. People seldom, if ever, when they see a bill of sale of furniture, require to know about the amount of the furniture of the person against whom it has been registered—it is about himself.

198. The VICE-CHANCELLOR.—Don't you consider that the question of credit depends in some respects upon whether a man has executed a bill of sale of his furniture, and that it would be valuable information for persons who wanted to test a man's credit?—I think so.

199. Of course bills of sale may be searched for for other purposes, but is not that one of the reasons for searching for them?—Yes.

200. The CHIEF CLERK.—Is not it a fact that there are publications in which these searches are published?—Yes, such as the "Black List."

201. Mr. MANDOK, Q.C.—Do you see any great necessity for giving facilities to persons requiring information in that way by having a central registration office?—I do not know.

202. The LORD CHIEF CLERK.—You say there is a stamp duty of one shilling for a band search in your office. And if a person wishes to search against twenty different names he need only pay you one shilling?—Oh, no; he ought to pay one shilling for every person against whom he searches.

203. But are not the books open to him?—Yes.

210. Do the people representing these Black List publications pay you one shilling for each name against whom they search?—They pay me one shilling against each name they take out.

211. And do they get the extracts from you?—I thought they made these notes themselves?—They do make them themselves; they make their own notes.

212. From the way your books are broken up in divisions have you any means of checking a name—preventing his taking acts out against more than one name?—It is left very much to their own honour, and must be so.

213. Do not the black list gentlemen take particulars of everyone of the judgments entered in the week?—They don't take them all.

214. I thought they published all. What is the class they don't take?—I don't know; it rests with themselves, but they don't take them all.

215. Do you think it would conduce more to the regularity of the office if there were a certain stamp duty for a search against any particular person, and that a search against no other person were permitted on that stamp?—That is what we do at present.

216. But are not you aware that that is every day systematically violated?—It is to some extent.

217. And you are aware of the persons by whom it is violated?—Yes.

218. The VICE-CHANCELLOR.—But if you found that a man who had paid you one shilling for a search against one name, had taken out acts against other names, would you have power to charge him for it?—I have no check upon him; he must be given the books to make his search, and unless there is a clerk to be stationed at every man's elbow to see what he is writing down there could be no check upon him. The only way of checking it would be to keep books in the ledger system, and when a man asked for acts against a certain individual, showing him only the one account opened against him.

219. And then there would be no possibility of his getting, without your knowledge, to a different account than that for which he had paid?—No.

220. The CHIEF CLERK.—Are you aware of the names of the persons by whom these lists are prepared, or whether any unusual facility is afforded by the clerks in the office to those who procure these black lists?—Oh, no, they get no unusual facilities.

221. But you find that you are wholly unable to prevent them taking more information out of the books than they have paid for?—No; we have to trust to their honour.

222. And you know that they violate that?—For every name they take out they give me a stamp.

223. I don't understand you?—Say Shells takes out so many names. He takes the list, and he publishes it, and then he refers me to his publication, and I see that a stamp is given for each name he has published.

224. Oh, I see; that is very fair—he publishes no name he does not give you a stamp for.

225. The VICE-CHANCELLOR.—And you have no check like that upon ordinary persons?—No.

EVIDENCE.

Nov. 15, 1919

Mr. James
McDonnell.

JAMES McDONNELL, Esquire in the Landed Estates Court, and Recorder of Titles, examined.

235. The VICE-CHANCELLOR.—What is the staff in the Record of Title Office?—Two—myself and an assistant.

237. You are not exclusively engaged in that duty though?—I am not; I am Examiner to Judge Ombury as well.

238. Does the Record of Title occupy much of your time?—No.

239. Your assistant is Mr. Topham, I believe?—Yes.

250. And is he exclusively occupied in the registry of title business?—No.

251. Then, if the registry of titles was discontinued, it would make no difference in the staff—is it would still be retained in discharging their other duties?—Not the least difference.

252. Is there any additional salary given to either of you for the registry of titles business?—There is some additional salary given to Mr. Topham—I think £50 or £70 a year. I get £200 a year extra for doing vacation duty. I am obliged to be there for the whole vacation.

253. Judge OMBURY.—Those are both of a temporary nature, however?—Yes.

254. The VICE-CHANCELLOR.—What number of books are required for the Record of Title department?—There are some half dozen books. I give the exact number in the return I sent in. (*Exhib. p. 138.*)

255. The LORD CHIEF BARON.—Are there not some original deeds lodged in the office too?—A great number of original deeds are lodged. We retain the deeds and give a certificate of title.

256. Could you give us any idea of the extent of the original deeds you have?—It might be necessary that provision should be made for the custody of these elsewhere?—I could not tell you as to the number of original deeds. We have all the original deeds referring to the recorded estates, and I think there are about 500 or 600 of them—then there are the transfers or other dealings with recorded estates about as many more, probably from 1,200 to 1,400 documents in all.

257. The VICE-CHANCELLOR.—Are there any original deeds prior to the Landed Estates Court conveyances?—No. The record in each case opens with the conveyance from the Landed Estates Court.

258. And what became of the deeds brought in for the purpose of preparing that?—Those are in the Deeds Office of the Landed Estates Court.

259. And have nothing to do with you?—No.

260. Would they be returned to the parties in time if the matter had passed out of the Landed Estates Court and the estate been recorded with you?—Not unless they related to other lands besides the recorded lands.

261. Is it necessary to keep those deeds that pass through your office?—Yes. We have an immense number of deeds. They are only given back when they deal with lands outside those recorded. We are very careful about that. You know that was how Radcliffe committed some of his frauds. He got hold of some old deeds, and managed then to mortgage the Parliamentary title as well as the original title. We are very careful, therefore, not to let them go, but sometimes they relate to other property, as I have said, and then we must give them out; but in that case they are stamped with an office stamp, which puts people on their guard.

262. But when a title is recorded, you keep all the deeds and documents relating exclusively to it?—Yes.

243. The LORD CHIEF BARON.—When the record is closed what becomes of the title deeds?—They remain with us.

244. And what title has the owner? Suppose I buy an estate in the Landed Estates Court, and fail to give the necessary notice that that estate is not to be recorded, you get hold of my deeds, and put it on the record, and then I take steps to have it removed, what title do I get if you don't give me back my deeds?—You get a certificate of title.

245. And have you considered what the best disposal of the deeds you have of the records of title would be?—To be kept where they are.

246. And not given back to the parties?—Oh, no; not at all.

247. Then the only question is whether they should remain where they are or be sent to the Registry Office?—They are not very numerous, and I think they should be left with us.

248. Mr. MELLOR, Q.C.—The only deeds you have lose are deeds dealing with property after titles have been recorded?—We have no deeds lose. We keep them all after a time.

249. But there are other deeds in your custody, as there are, of estates passing through the Landed Estates Court, besides those which are recorded?—Those deeds are in the custody of another officer, and they are all kept in tin boxes separately.

250. The LORD CHIEF BARON.—But you keep those not as a Record of Titles office, but as representing the Landed Estates office?—Yes. We have an officer who has nothing else to do but keep that department.

251. Mr. MELLOR, Q.C.—About how many deeds have you in your custody?—About sixteen volumes, containing in all about 1,200 documents.

252. Dealing with property since the Record of Titles Act?—Do you see any advantage in transferring those deeds to the Registry of Deeds Office of the Record of Title system was abandoned?—Except for their security there would be no advantage in doing that. They are not numerous, and we could buy them very well where they are.

253. They are just as safe in the Landed Estates Court where there are an immense number of other deeds?—I think it would be better to keep them there for the present at least.

254. But as far as the registration of them is concerned, that would appear on a search in the Registry of Deeds Office?—Yes.

255. The LORD CHIEF BARON.—There may be estates the title to which is recorded, and in reference to which no act whatever appears on the registry?—Yes.

256. And if I go up to search for acts relating to that estate I find nothing in the Registry Office?—No.

257. Nothing in the Registry Office to tell me that he has a recorded estate?—Oh, there is, for when a title is recorded we send a memorial of that to the Registrar of Deeds.

258. The VICE-CHANCELLOR.—The original record of title is recorded or registered in the Registry of Deeds Office?—Yes.

259. Suppose that is mortgaged, and that transaction goes through the Record of Title Office, does it appear upon the Registry of Deeds?—No, at least it ought not.

260. Then all the information upon that subject must be got from the Record of Title Office itself?—Yes.

261. And if that office were closed how would all these transactions be found?—So far as they are now

material to the title they would be grouped in a certificate of title that we would give out—this you know would depend on the particular mode by which you would by law close the record. Suppose you said that no further entries should be made after a certain day, and that if a person wished to deal with his property he must close it. If he did so, he would come to me and I would give him a certificate of title showing every act up to that time.

202. And then that would be put on the Registry of Deeds?—Yes.

203. Showing every act appearing upon the record at the time it is closed?—Yes.

204. Judge WALSH.—Then care must be taken that the mortgagees were notified, for an owner would have an interest in leaving it as originally recorded?—If you made a law that no recorded estate could be dealt with until taken off the record, they would come in gradually, and take estates off as they wanted to deal with the properties, and then get a certificate.

205. The LORD CHIEF BARON.—Would it be a very awkward thing to give certificates with reference to all the estates, and have them all entered on the Registry of Deeds at once at the public expense?—That would take some time, and I would hesitate very much on our doing a thing of that kind without the parties interested assenting to it. I would be very much afraid of mistakes made by officers who have nothing but the documents to look to, no knowledge beyond them. I would like the parties to see and approve of such documents at all events.

206. Would you object to a proposition that in the event of the parties themselves not taking any active steps, any within twelve months of the passing of the Act, that then any estates remaining on the record should be transferred by the Government to the Registry of Deeds Office?—Who then would you hand the certificate of title to?

207. To the Registrar?—But surely, in addition you should give some evidence of the title to the person who originally recorded.

208. Let him get it from the Registrar?—I would expect that in the necessary and ordinary dealings the parties themselves would bring them in in a reasonable time and close the records, and I would not permit a public officer to state a man's title without that man's intervention or appearance. If there is an error, the owner knowing what he has would at once detect it, but the officer knowing nothing at all about the property might let it pass, especially

if he had to prepare a number of these documents in a given time.

209. Mr. MADOCK.—Are you aware that although it is necessary when a record is opened to register a memorial of the fact in the Registry of Deeds Office, yet from the form of memorial that the Act may never turn up upon a search. For instance, if I am laying the estate of A. B., and his estate has been sold in the Landed Estates Court and recorded, and that he surrenders from the Abstract of Title the sale in the Landed Estates Court, the only name that would be on the registry would be that of the recorded owner?—I remember that at one time our court directed land searches against lands from 1844, because we thought that drainage acts would not appear upon an ordinary name search, but as a matter of practice the office always returned them, and we gave up that form of registration. I don't think Judge Ormsby ever knew of the practice.

210. Judge ORMSBY.—Do you think if this record of title was closed it would still be necessary to have some officer to look after that department, and give information to parties calling?—Yes; but one of the clerks could do that. In a short time it would not take more than five or ten minutes in the week. Once in a way, perhaps, somebody would come up and look after some small thing. The reason I would prefer keeping these deeds where they are is, if there were inquiry made men conversant with the books and the work could give the information much more readily.

211. Mr. MELDRETH, Q.C.—As a matter of fact we not trace a large number of transactions with property that have been recorded, and that have been registered?—Yes.

212. Is not it the invariable rule to register?—No. But it is very frequently done.

213. The solicitors did not seem to understand the recording of title, and the doing away with the registry, and I understand that it has been very generally done, to register as well as to record?—Very often.

214. But I understand you to suggest that in closing the Record of Titles Office there ought to be legislation to this effect—that there should be no further dealing with recorded titles, unless the record were voluntarily closed, and a certificate of title obtained by the person entitled to it on the record?—That, I think, would be the best way.

215. That would make it the act of the party closing the record, and also distribute the work over some period, because all the parties would not be coming in at once?—Yes.

NOVEMBER 17, 1879.

Mr. THOMAS A. DILLON, further examined.

216. On the last day I showed the feasibility and accuracy of printing by stereotype in bound books in type character; but the method of printing in manuscript character was not gone into. I am not prepared myself to suggest that it should be used as a substitute for type; but I consider it a possible and valuable auxiliary to the more perfect system of type-printing.

The estimate of time and labour which I made on the last day I must considerably modify, for I think at least a third of the expense, time, and labour may be taken out of my former estimate.

Taking the Commissioners' plan from their first report to be:—

1. That the alias names are to be abolished, and the Ordnance names of townlands are to be substituted therefor.

2. That the whole deed shall be registered.

3. That an "abstract" or parts of it shall accompany the deed, which will contain merely the "statutory requirements" for registration.

4. That the Index of Names shall be kept in dictionary order of surnames and Christian names, day by day, in triplicate, either on paper or parchment—in type or manuscript, with or without full abstract attached.

5. That the Lands Index also shall be kept in triplicate day by day, in type or manuscript, with or without full abstract attached.

6. That copies of the Abstract Book shall be made in triplicate, in type or manuscript.

7. That 60 deeds a day shall be copied in facsimile so that the original deed may be handed back within three days at farthest to the owner, and any number of facsimile copies produced for office use.

8. That copies of such deeds, when required, may be produced without much cost or delay.

The following would be my estimate:—

I was, I think, 16 years engaged in comparing the deeds and memorials lodged for registry. At present 300 folios a day are compared in the office by one

EVIDENCE.

Nov 17, 1879.

Mr. Thomas

A. Dillon.

Nov 17, 1879.

Mr. Thomas

A. Dillon.

EVIDENCE.

Dec. 17, 1878.

Mr. Thomas
A. Dilke

gentleman, who reads to me (in comparing memorials and transcripts). An abstract, as a rule, does not run to one folio of 72 words, so that I see no reason why far more than 40 abstracts (which is the average daily number) should not be compared each day by two persons. I would mention a difficulty which for several years has attracted the attention of the older and more thoughtful clerks in the department, viz.—It was formerly the practice to register the deeds and memorials before comparing them. If the deed and memorial did not agree they were returned to the solicitor for correction. The solicitor set things right, but the deeds so returned lost their priority of registry, as a matter of course. This was a drawback, but it was the only one.

To obviate this latter inconvenience, it was arranged in late years that the deeds should be compared in the office before being tendered for registry to the Registrar, and the deeds and memorials were now compared by gentlemen, who initial them, if accurate, but if not accurate the deed and memorial are rejected as *homotexts*, with this difference, that the affidavit of perfection not having been made, priority of registry is not obtained. The solicitors are apparently saved trouble by knowing at the moment what is wrong, and what is to be corrected.

Others as well as I think this system unsound, and likely to terminate some day in most serious frauds.—

The older plan was not so rapid, but it was in every way a safer plan. By a simple alteration it could, I think, be rendered equally as rapid as the new method, and we should then have the safety of the one plan, and the swiftness of the other combined. Under the old plan the priority of a deed could not be disturbed if the solicitor showed that he had complied with the legal requirements; but under the new method when deeds come in, as they often do, in a rush, an inexperienced comparer may reject a deed which should not have been rejected. During the time that this supposed erroneous deed has been withdrawn for correction a mortgage against the same property may get on the registry, and obtain priority.

Having dealt with the Abstracts and Indexes, I come to the Deeds. Here are deeds and maps which have been copied by photography, and here are the negatives and copies for examination by the Clerks *sic*.

My estimate of the hands required for printing indexes with photographing deeds would be, for both future and past—4 compositors; 1 stereotypist, 2 compositors; 3 photographers.

277. The LORD CHIEF BARON.—But if a mistake was afterwards detected in the memorial, and if it was remedied, would the deed be registered according to its priority?—No; the solicitor paid the penalty of his mistake if he was wrong.

278. It was withdrawn from the Registry?—Yes. At present the two gentlemen doing comparing work examine the deed and the memorial, and if they find any error they return them at once. The result is that sometimes the clerk won't take the trouble of going back to his master—he goes outside and corrects the mistake himself.

279. The VICE-CHANCELLOR.—Do you speak of that from your own personal knowledge, as a fact?—Yes.

280. Can you give an instance of it?—Yes; I have over and over again known of that occurring.

281. This is a very serious charge. Are you able to state that it ever occurred within your personal knowledge?—I think I could bring you any amount of proof of it.

282. Did you ever see it occur?—Not in my day; it was after my day.

283. What I want to know is, did you ever see that done yourself?—I will substantiate any statement in a different way. When I was in charge of the deeds, fifteen or sixteen years ago, I have repeatedly

threatened to bring men before the Registrar and said, "You have altered that memorial, and he won't take it," and the Registrar has turned the men back for seeking an alteration over the signature. On one occasion I rejected a memorial seven times, and the old man tendering it for registration (I remember it well) said in the end, "settle it among yourselves, and I will swear whatever you like." I believe it is now the practice among clerks not to take a deed back to the solicitors in the event of mistakes being discovered, but to alter it themselves.

284. Mr. MELROSE, Q.C.—You say that one old gentleman did that to your own knowledge. I must ask you to give the name of that old gentleman?

285. The LORD CHIEF BARON.—I don't think we should have names mentioned.—

286. The VICE-CHANCELLOR.—This is a most serious statement of Mr. Dilke's—a most serious impeachment of the system of the Registry of Deeds Office, and one which we should examine into fully. Probably it would not be necessary to introduce names, but the alleged practice should be examined into.—

287. Mr. ARMISTEAD.—How long is it since the case you particularly specified occurred?—I suppose it was nearly fourteen years ago. I am not making a charge against persons, but against a system, and I have stated this as a blot before the members of the Treasury Committee. Under the old process, two or three men might come up together, swear their affidavits, and deposit their deeds and memorials according to priority. The deeds were not examined until the next day. If a mistake was detected in comparison, a note was sent to the solicitor—very often it occurred in the hands of drawing the memorial, which would not agree with the deed. If by chance, the solicitor's clerk came up, what more natural than that he should attempt to repair his own blunder, without bringing the document back to his master? I have repeatedly seen them doing that, and have over and over again challenged them, and have, on bringing the matter under the notice of Mr. Chapman (then Assistant Registrar) received distinct instructions not to allow it. Since that, because of the rush of work from the Inner Temple and London Estates Courts, Mr. Hay devised an expedient, which was wonderfully subtle and useful to the solicitors, but which, I think, extremely dangerous. There are two or more gentlemen who compare the deed and memorials, and in the event of detecting an error, they hand back the deed and memorial to the clerk at once. Not one out of a hundred will go back to tell his master of his own mistake; he just goes outside, makes the document tally, and then tenders it again for registration.

288. The LORD CHIEF BARON.—Then the memorial was returned, with the affidavit of perfection at foot of it?—Yes, if the affidavit was sworn out of the office; but when the execution is proved in the office the affidavit, you know, is made before the Assistant Registrar, and not until the deed and memorial are handed to him for registry, after comparison.

289. Mr. MELROSE, Q.C.—Which do you say was altered, the memorial or the deed?—The memorial. We all know that they were originally drawn by attorneys' clerks. With regard to the gentleman Mr. Melrose asks about, I'll mention the name, if you like (mentioned it). A good kind old man he was. He came in at last, and said, I have altered this seven times to please you, and alter it for yourself, if you wish; indeed, I'll swear what you wish. I told Mr. Chapman that at the time.

290. The VICE-CHANCELLOR.—Will you now go to the mechanical process you have suggested for printing in books, in manuscript character?—On the last day, I showed you how I proposed printing in books, from stereo blocks in type character; and now, to apply the Chromograph, I just affix the frame in which it is, to the machine, in lieu of, let just in the same way as the stereo block. I believe printing in type character is better, but on the

other hand, it might be of some value to have the power of duplicating handwriting, for instance, in getting out searches. They now keep records of negative searches, as you are aware, and if you had a search made out in this way, you could stamp that (the chromograph entry) into the Negative Search Book. It might be useful in that way, in facilitating registration. The Registrar of Deeds at the Ecclesiastical Commissioners' Office in London, is very anxious to have his deeds and maps accurately copied, and, as it exactly coincided with what I propose, I brought two these three specimens. These are the exact facsimiles of deeds and maps taken in reduced size by instantaneous photography, one of which you will observe has been enlarged to the size of twenty-four square feet. At present there are two men, comparing from morning until night in the Registry of Deeds Office, and they can only compare a fractional part of the day's memorials, but by this very simple and cheap process you can have any number of facsimiles in a very short time.

291. The VICE-CHANCELLOR.—I suppose this can be made of any size, and diminished to any extent that may be required?—Certainly. By photography, deeds can be reduced to the smallest possible compass, or can be enlarged, as I have enlarged one and showed it at the Westminster Palace Hotel, in which the letters of the word "memorial" at the top, were six feet by measurement clearly and sharply defined.

292. Suppose a deed contains two or more skins tied together at the bottom, as they frequently are?—I would photograph the first skin, and then the second, if it were impossible to take the two together, and, of course, they could be arranged in order subsequently.

293. But there must be a separate photograph for each page?—Yes; but owing to certain mechanical aids and late improvements the work of miniature photography is almost reduced to nil, and I calculate that it would not take more than one and a half hours to do the copying work of a day by that process.

294. The LORD CHIEF BARON.—Then would you suggest, that the pages of photographs should be afterwards cut up and pasted into a book?—Yes.

295. JUDGE WALSH.—But if there were ten skins to a deed, would you require ten negatives?—Yes; the small glass plates are not expensive, and could be used again, after as many copies as were wanted were taken.

296. The LORD CHIEF BARON.—Suppose that only one or two were required for the office, and that deeds were taken, and that then the solicitor afterwards required a copy of the deed, should you not take a new negative, and from the new negative give the copies he required?—Certainly.

297. Mr. ASHERBROOK.—Is it certain, that photographs are indelible?—Certainly; few people take photographs on silver paper now; they are taken on carbon paper, and carbon prints are everlasting. The old inks you will see, if you go to the Registry Office, are all as good as ever, while modern inks, you will find, have faded, and the reason is, that the old inks were a composition of soot or carbon, which is indelible, and the present inks are aqueous chemical dyes. Ink containing carbon has lasted for centuries, but modern inks contain the elements of self-destruction. Therefore, photographs have adopted carbon prints, and these will be found like the carbon inks, to be lasting. There is in the King's Inns Library an admirable work on inks.

298. Mr. MANNING.—But is it admitted amongst artists in photography, that these can be indelibly printed?—Every photographer in Dublin will tell you so.

299. Would not that be rather a rash statement, after the short experience we have had—surely, no one could state that, as a certainty?—What I have said, I think, answers that question. Carbon inks

have kept for years, and therefore, why should not the same element existing in photography, be preservable also?

300. Photography is produced by a chemical change; the other is a mechanical super-imposing of one substance on another?—It is the same substance all the time however. The substance we imagine as indelible in ink is carbon, and the substance that is indelible in photography also is carbon.

301. The LORD CHIEF BARON.—Have any experiments been made as to photographing on parchment?—I have tried it, and I would rather not go into it now, but if the Commissioners wish, I am certain that I can use photography with parchment also.

302. Is there any danger that the pages of a book, composed of photographs, would suffer from rubbing and blurring when the book is much used?—None.

303. The LORD CHIEF JUSTICE.—By what process, is it that you convert these minute photographs into large size copies again?—Just the converse of the previous process.

304. The LORD CHIEF BARON.—Have you considered what staff would be required for using this photograph system, in reference to taking copies of all deeds produced for registration?—I have.

305. How many men do you think would be required?—One man, and an assistant, for taking the deeds during the day, and the occasional help of a third.

306. You mean a thoroughly competent photographic artist?—Yes.

307. Would one be sufficient?—Yes, with an assistant.

308. They both should be skilled in photography?—Yes; they would rank as senior and junior.

309. And you mentioned something about a third man?—Yes; the third man I would not require to interfere in any way with the copying of the day's deeds. I would keep him for making the photographic copies, and doing nothing else. Five printers with three type compositors would do everything.

310. Do you in the five printers include those who would put the entries in the book?—Yes, sixty abstracts every day in type, and sixty deeds photographed.

311. My question was asked with the intention of your confining your answer to the persons required for the photographic portion of the scheme?—I would say three—one principal and two assistants.

312. Then, irrespective of the salaries of these skilled persons, would the expense be considerable of working this photographic system?—No, it would be very inconsiderable.

313. How much of the time of two clerks would it occupy to compare the originals of sixty deeds with the copies proposed to be brought in, one holding the copy and the other the original?—The average is about 500 folios a day, but you cannot keep area that up; it is very good work.

314. Can you give me a rough estimate of the number of folios there would probably be in the sixty deeds brought in each day?—I can only give an estimate by reference to something else that I am acquainted with. I know the memorials, and I don't know the deeds as well. The present deeds are, say, five times longer than memorials, but they are becoming shorter; they formerly went on up to 100 folios each, I should say there are now probably about fifty folios in each deed as an average.

315. The LORD CHIEF BARON.—Would it be under the average to allow thirty folios for each deed?—That would about hit it off pretty well.

316. Then that would be 1,500 folios a day which would be required to be compared, and is it your opinion that it would fully occupy the time of the eighteen clerks to compare the copies proposed to be

EYRENGH.
Am. 11, 1878
Mr. Thomas
A. Oliver.

EVIDENCE.
—
Nov 21, 1879.
Mr. Thomas
L. Dimes.

brought in with the originals?—Certainly, provided it was regular, plain writing.

317. I am not speaking of these, I am speaking of the copies of deeds proposed to be brought in?—If the deeds are in fair, honest, good writing; but I am so accustomed to the wretched writing of memorials brought in that I must qualify my answer in that way.

318. Do you think that the present staff of the Registry of Deeds Office would be able, in addition to their present work, to compare the original deeds with the copies proposed to be brought in?—Certainly not.

319. Is it your opinion that you would require eighteen clerks more, and, in addition, there would be clerks necessary to compare the abstract with the deed itself?—Certainly.

320. In reference to your evidence on the last day with regard to printing by stereotype: is there any possibility of blotting or blurring if this system is adopted, from the fact of the book being closed immediately after the impression is taken?—I don't think there will be the slightest difficulty from blotting or blurring. The best test in the world is to try some printing on the parchment now used in the Landel Estates Court. Print on that parchment in books, and you can close your books in a few minutes.

321. In less than a quarter of an hour after the impression is taken?—Certainly, because the ink need only have more drying material in it.

Dec. 3, 1879.

Lieut.-Colonel
Martin.

DECEMBER 8, 1879.

Lieutenant-Colonel MARTIN, R.E. (afterwards appointed a Commissioner), examined.

327. VICE-CHANCELLOR.—We have given you the trouble of asking you to attend here, in order to get some information from you about the way in which photography and photoduplication have been utilized in your departmental work. Perhaps you don't know exactly the objects of our inquiry?—I do not. When I get some knowledge of your work I would be better able to give you any information in my power or procurement.

328. The present system of registration is bringing in the deed itself and a memorial of it on parchment, which is expected to be a short statement of its contents, and that memorial is retained in the Registry Office, filed there, and preserved. Copies are made from time to time for any parties that want them. From that memorial, first an abstract is prepared, stating the material requirements—a very short document. These abstracts are bound up and indexed, both by the names of the parties and the names of the lands which the deeds are supposed to affect. We propose to substitute for that system one or other of two plans—either that the party bringing in a deed for registration should also bring in a copy, certified by him to be a proper copy, which copy would be compared in the office with the original, and the original handed back after such comparison; or that the copy should be prepared in the office. The comparison in the office of the original deeds, with copies brought in, it has been estimated would necessitate the employment of from fourteen to eighteen clerks, and it has occurred to us—er, indeed, it was suggested by Colonel Leach, Mr. Dillon, a clerk of the Registry of Deeds Office, and others examined before us, that photography or photoduplication might be made use of there, and that all the trouble, delay, and cost of comparison might be dispensed with if we had the original deed photographed in the office. Your department has used these processes largely, and we thought you could give us some

information as to whether it would be safe as to permanency to use either, and whether it would be, in your opinion, a convenient way of getting these copies made?—There is not the least doubt that photoduplication would be perfectly permanent, and, of course, it would be perfectly safe so far as its being copied is considered, because it must be a perfect facsimile. But I have doubts whether it would be worth while. Would you only want one copy of the deed, or would you require several?

329. But it is not exposed to the same weight that an impression would be on a book when the book is closed?—Oh, a greater weight. If you saw newspapers in the pie in an office you would see that at once.

330. JUDGE WALKER.—Have you made experiments as to the length of time it would take for impressions in a book to dry?—I have tried it over and over again, and I ask leave to bring before you the books. I would wish this Commission to prove for themselves everything.

331. THE LORD CHIEF BARON.—I take it that your evidence is that it will dry in less than quarter of an hour, and that that is founded on practical experiments made by yourself?—Yes; when an impression is properly made on the book it indents the paper or parchment, and you can almost rub over the print without blurring it.

332. THE VICE-CHANCELLOR.—Could blotting paper be introduced between the pages?—I would rather not use it. I would very much prefer some such substance as those gatta-percha or oiled silk, which would not allow any portion of the printing ink to be "set off" or to stick on it, and so reduce the amount of ink on the original.

information as to whether it would be safe as to permanency to use either, and whether it would be, in your opinion, a convenient way of getting these copies made?—There is not the least doubt that photoduplication would be perfectly permanent, and, of course, it would be perfectly safe so far as its being copied is considered, because it must be a perfect facsimile. But I have doubts whether it would be worth while. Would you only want one copy of the deed, or would you require several?

329. Colonel Cooke asked that, and some other questions, and our answers sent for his information were that—"as a rule, one copy only would be required in the first instance for the purpose of being preserved as a permanent record in the office, but that parties frequently require copies subsequently and even after a considerable lapse of time, which could be supplied by keeping six copies in store, or by photographing the deed anew, as copies might be applied for, whichever might be more convenient. Then he asked about the size, and we thought that if it were reduced to half-size it would be proper—the size of the largest deed being about twenty-four by twenty inches, and the average size eighteen by seven, and that on an average there would be about sixty deeds to be copied every day?—The only question would be as to using photoduplication on account of so small a number of copies, and that could only be solved by taking the matter more in detail—going into figures as to the cost, and so on. That I could not do in a moment. We don't work that process here. It is only worked at Southampton.

330. Can a single copy be taken so as to be durable by mere photography?—I think not. I don't know any method of making photography perfectly indelible, but I am not sufficient of a photographer to answer the question absolutely. The best opinion on that subject would be Captain Abney. He

is very well skilled in that, and you would require to consult an expert to get a *bona fide* opinion upon the subject.

331. In working with photomicrography durability depends on the ink used?—Yes.

332. You can print from it just as you do from stereotype?—Yes, or more like printing from stone, lithography. The principle is just the same. You prepare the paper on which you bring the positive from the ordinary glass negative; you prepare that with gelatine and potash, and that preparation of gelatine and potash on the paper is affected in such a way by the light that it is insoluble in water of a certain heat. So that when you take your positive, and afterwards wash it with water of that warmth, those portions which have not been affected by light come off and leave the other portions on the paper. The portions so affected by the light, and thus remaining on the paper, form a substance just the same as the transfer ink does in lithography for the reception of ink. It is rubbed over with ink then and printed from.

333. And the inking process has to be repeated, I suppose, for every copy?—Yes; the inking operation must be repeated for every copy. Exactly, in fact the same, as in lithography.

334. Is that an expensive process?—I fancy not; but I cannot answer that accurately either.

335. Is it an expeditious process?—Yes.

336. Would you think that sixty deeds could, without any difficulty, be printed off in a day by that process—single copies?—I have not the least doubt but that they could, easily.

337. Could they be photographed all together, or should each be separately photographed?—I think it would be too large a thing to put them all together.

338. But in fact, or should each skin of every deed be photographed separately?—The size of the deed would be eighteen inches by twelve, you say?

339. Yes!—Then, having regard to the fact that you can reduce so much by photography, I think you could put two or three of these together, and reduce them all down to the compass of one.

340. Mr. MADDEN.—Is there any cheaper process of printing by means of photography than this photomicrography?—I don't know whether you have thought of the anastatic process—taking the original deed, and printing from that. That would be cheaper; but your deeds are on parchment, I take it?

341. Yes!—Then I would not be sure that that process would be applicable. I know that they have used it for copying large documents, but as to that also you could get better information from Southampton. I have never used it, but the process is to print from the original deed by transferring it.

342. But if it were written on both sides?—I do not think it would then do; but the process has been successfully used at Southampton.

343. The difficulty that occurred to me when this was first suggested was that it probably would not be durable. The first thing that was suggested was printing from an ordinary negative, and it occurred to me that as that is only the result of a chemical change it would not be durable?—I fancy not.

344. And the gentleman that proposed it said it would be durable?—As I said, I am not capable of giving a definite opinion as to that—I am not sufficient of a photographer.

345. But your impression appears to be the same as mine, that a chemical change in a substance chemically prepared would hardly last for a hundred years?—No, I think not; but Captain Abney certainly would be able to tell you whether it could be safely applied to your purposes.

346. Isn't there some such process as this—getting a negative from an ordinary deed, and putting it

over some prepared substance, so that the light coming through the white parts of the negative hardens the parts immediately under it, leaving the remainder so that it can be taken away?—That practically is photomicrography. The paper is prepared with gelatine, as I told you, and you apply the printing ink all over it, then the warm water, and that takes off those portions not affected by the light.

347. That is the same process then?—Yes.

348. The VICE-CHANCELLOR.—What would be the steps of that process—first you take an ordinary negative?—Yes, and then the positive from that on this prepared paper, then that gives you the means of putting it on to the zinc plate, and from that you print the same as you would from a stone in lithography—you rub the ink over it and it only adheres to the places affected by the light.

349. Mr. MADDEN.—Isn't there another process of forming a stereotype plate after you get this positive?—Mr. Dillon's method?—Well, that is not photomicrography.

350. No, that is a third process?—I am ignorant to a great extent of Mr. Dillon's process. I have not entered into the matter. If you would be kind enough to let me see something of what you have been doing, I would be better able to give you some information. Mr. Dillon's process, as I understood it, was that he would get some sheets of brass which were to be kept as the records!

351. Yes!—And then also he intends to print into a book.

352. Independently of that he has now a process of printing from a stereotype which he obtains means of photography?—No; he sets up the type and gets a stereotype from that.

353. But he also has a project, as I understood, of printing from a stereotype obtained from a photograph, by means of some gelatinous substance.

354. The VICE-CHANCELLOR.—He has not brought that before us yet at all events. (To Witness).—You have had no experience of printing into bound books from time to time?—No, I but I should fancy the thing is perfectly possible and perfectly easy.

355. Mr. FIDELLER.—In this process of photomicrography, are the zinc plates at all permanent?—Yes; you can keep them for a considerable time, so that you can print from them. For a good many years—my experience cannot tell more than that; but you can keep them for a good many years in ordinary micrography.

356. Would that not answer the purpose of accumulated copies?—Yes; but they would take up a great deal more space.

357. Mr. MADDEN.—A great deal of space considering that there are sixty deeds each day?—Yes; if you attempted to keep them on zinc plates you would require great space indeed. The other plan is the more preferable—you could keep your stock of copies in such a way that you could renew them from time to time, because it would be easy to reproduce a copy of print again.

358. Judge ORMER.—As you found the thing was getting faded?—Yes; just reproduces that deed. Have an occasional overhanging of your stock—you will probably find some deeds requiring attention, and others, perhaps older deeds, not. I found recently in Mountjoy, a great deal of our papers had gone to the bad, because of the damp, and I have at present undertaken a great deal of work to try and save the records we were thus losing.

359. The VICE-CHANCELLOR.—Would a photograph taken from faded records come out fresh?—No; it would be more or less injured. You cannot produce a better copy than the original of course.

360. Mr. MADDEN.—Then you would start with a new document as bad as the original?—As far as a photograph goes, but not in photomicrography. Of

EVIDENCE.

Dec. 3, 1878.

Lord-Colonel
Morda.

ERIKSSON.

See 5, 1878.

Lieut.-Colonel
Harris.

course in photography you cannot produce anything better than the original.

361. Mr. DILLON stated that printing in bound books had always been considered impossible, until he invented this machine.—Well, I cannot tell you. I have never seen it done, but I imagine that the thing is quite possible. I saw Mr. Dillon produce an impression in a book, but whether it was permanent or good, or anything else, I don't know.

362. Mr. LANE, *q.c.* (Secretary).—Was that in stereotype or in chromograph?—In stereotype, and he pressed it into a book; but beyond that I cannot tell, I don't know whether the impression was good, or whether it would be permanent, or whether it could not be better done. But I should imagine that it would be perfectly easy to print into bound books—I don't see why it should not be.

JANUARY 9, 1880.

At the Dublin Steam Printing Company's Office.

Mr. T. A. DILLON, further examined.

363. Mr. THOMAS A. DILLON said—I propose now to show the practical operations for carrying out the system of Deeds Registration, suggested by the Royal Commission on the data of 60 deeds per diem being presented for registration, each deed being accompanied by an abstract containing the statutory requirements:—

1. Deeds and abstracts to be consecutively numbered by an automatically moving numbering machine;

2. Comparison of deed and abstract;

3. Abstracts placed in the hands of compositors, set up in type and logotype, read, corrected, marked by official use of this officer in charge;

4. Type moulded and stereotyped, proof from stereotype compared with proof from type;

5. Abstracts printed in chronological order in (a) Bound Abstract books, (b) printed in Names Index book, (c) printed in Land Index book. Many alterations in shape may be decided on hereafter. This makes no matter, for any shape or form can be carried out. It will be kindly borne in mind that the test today is one of a perfectly unaccomplished character. Except to generally direct the men to be steady and careful, there is not a single individual in the establishment who ever saw one of the abstracts to be set up—neither had I seen them until handed to me this morning by the Secretary. Lastly, it is a well-known law that after a week's practice twice as much work can be turned out in a given time as upon the first day of trying, and with logotypes and certain mechanical aids, fully twice the amount of work can be done. I have only to add that after the suggestion made the other day by the Vice-Chancellor, I turned my attention to the matter, and my mind was never diverted from it for one moment until I discovered a ready means of utilizing his very valuable suggestion. I now propose to show you how we would be able with but one stereotype block of an abstract to print in the Names Index under the proper heading of each grantor named in the abstract. That is achieved by having combined with my block a small compartment for the reception of the movable type, and in the event of these being three grantors named in the abstract, I take the first, put the name in the margin by inserting the movable type in this compartment and print under that name in the Names Index. And so on with the second and third grantors, the same stereotype block answering for the three. Thus if there is a restriction to the use of the Ordnance Survey townlands only, by a system of logotypes nearly all setting would be saved in the future.

364. The O'CONNOR DOCT.—And having these different denominations of land in logotype you would insure correct spelling?

365. Mr. DILLON.—Yes. The names of townlands in Ireland have varied according to the pronunciation,

363. Mr. MADDERS.—Who would be the best authority to consult on such a subject as the feasibility of printing into bound books—do you think it is done in any of the public departments?—I don't know that it is.

364. The VICE-CHANCELLOR.—Colonel Leach told us he had made inquiries from printing machine makers in London, as to the possibility of making a press for the purpose, and that they said it could be done without any difficulty.—Speaking for myself, I cannot see why there should be any difficulty in it at all, and I know this much—that Mr. Dillon did produce a print from stereotype in a bound book, but whether it was good or bad I could not say. After all, the permanency of the impression must depend on the nature of the ink used, and that could easily be adapted to the special purpose, I think.

and that in my opinion is one great cause of the alias names.

368. The O'CONNOR DOCT.—What is the cost of these logotypes?

369. Mr. DILLON.—The weight of the metal only—a very little more.

370. Mr. GEORGE BRYERS, Manager of the Dublin Steam Printing Company.—The price of the metal is three pence per pound. A man can set up eight or nine of these different names in a few minutes.

371. Mr. DILLON.—Would a man do a hundred in a day?

372. Mr. BRYERS.—Oh, certainly, 300; and the operation would be this.—After the names were set in type, twenty or thirty of them at a time would be put into a chase and sent to the stereotype foundry. There the "song" is prepared—that is, sheets of fine paper gummed together with a moist composition, and backed with brown paper. This is placed over the face of the type and beaten with a strong brush till it forms a perfect mould. The mould, still lying on the face of the type, is placed under a screw platen to keep it from warping, and put on a steam chest to dry, taking from fifteen to thirty minutes to do so (we could dry 1,000 names at a time). When quite dry the mould is placed in a shallow setting-box, the lid put on, and molten stereo metal poured over it from a hole at the top. The cast hardens almost immediately. It is then sent up to the finishing room, where it is sawed into so many names as it contains, and finished off. The finishing and planing the rough edges takes the longest time.

373. The VICE-CHANCELLOR.—The first process, however, is, that when the paper-mould is obtained in the shape of a matrix, you have it dried and the cast taken from that?—Yes.

374. The VICE-CHANCELLOR.—Now how many men have you told off to-day for this day's work, and tell us their occupations?—I have put on eight compositors to set the type. I have a reader to read the first proof before it comes to Mr. Dillon, and I have a man here to pull impressions.

375. Does that complete the entire staff?—Yes.

376. How long would it take a man to set one of these abstracts?—I need hardly tell you that the time varies according to the length of the abstract. For instance, one of the first that I got was a very long one, and if we were to proceed in order, that abstract would stop the others until it is finished.

377. [Mr. Dillon then printed on his machine on a sheet of paper an abstract with three grantors, showing how the system with the movable type, combined with stereotype, suited for registration in the Names Index, worked. The names of the grantors were Spencer C. Wilde, Alfred Markley, and the Rev. J. W. Hus-

The same block of stereotype with the names Wilde, Mackley, and Bliss, and their proper Christian names inserted in the margin suited for the three entries under these names as required in the Names Index. Mr. Dillon then explained the economy of utilizing the movable type from which the stereotype plates had been taken, by taking the impression for the block of stereotype, using the names in type, as originally set for that block, for the marginal names, before re-distribution of them.

378. The O'Connor Doc.—According to this system you have the name of a particular grantor both in the margin and in the body of the abstract?—Yes; but they are not set up twice; our setting up is sufficient for a dozen grantors on this plan.

379. The *vice-Chancellor*.—Each name would be put in the column in which it is required for the purpose of the Names Index; and, instead of transposing the type as was at first suggested, by taking a particular name out of the block and putting it in the margin, which would require the taking of a new stereotype block, this improvement has been made, by which the one block of stereotype would answer for the three books, if we adopt the system. First of all the abstract would be printed in its proper chronological order in the Abstract Book when it comes in; then the block will suit for the Names Index by adding to it in the margin the name of the grantor against whom it is to be registered; and for the Land's Index also by putting it under the several townlands mentioned.

380. Mr. LANE, G.C. (Secretary).—The abstracts which are being set up here, are not in the form given to Mr. Dillon here yesterday afternoon, being that in which the Commissioners required that they should be printed.

381. THE VICE-CHANCELLOR.—What we want to have done is, that the abstracts sent should be printed exactly in the same way as the abstract is written: in bolder form—a column for the year and day of registration; a column for the year and number of the memorial; another for the date of the instrument; another for the names of the grantors, and one for one or more grantees; another for the general nature of the instrument, whether trust, marriage settlement, mortgage, or absolute conveyance; another for the names of the townships on the Ordnance Survey maps; and, lastly, one (which the Chief Clerk has suggested) for the names of the parcels as stated in the instrument.

281. Mr. Rogers.—There would be no difficulty in doing that, because these columns will be ruled in the paper of the book into which the abstracts are to be printed, and printing in that way, and in the form we are now doing them in would take exactly the same time. We had not the paper ruled; and, therefore, we thought that the system would be illustrated in the way we are working, as well as by the other.

363. The VICE-CHANCELLOR.—You are printing all these things consecutively—the year, the date of the instrument, the name of the grantor and of the grantee, the nature of the instrument, and so on.

384. The O'Connor Dow.—Didn't you get directions to do it according to the form sent you?—The form sent by Mr. Lane I only got from Mr. Dillon at 10 o'clock this morning, and to carry it out properly there ought to be books ruled in that form.

365. The VICE-CHANCELLOR.—Could you get one or more of these abstracts set up in that form? Observe there will be three different impressions to be taken in three different books, from one block. The first impression will contain all the particulars in the form, and as the outer column will contain in nearly every case a much larger number of names than the column preceding it, you could make the outer column say twice, or three times the breadth of that for the Ordinance names; or you might set that column in smaller type. But with the use of smaller type and making it broader, you could compress it.

think, the names of the parcels, as stated in the instrument, into it, so as to keep it as nearly as possible of the same depth as the preceding column, so soon as the full form is printed in the abstract book the outer column will be useless, and is not to be printed anywhere else. You can then save it off and join the block, with all the Ordinance names under each separate heading, into the Landis Index, as soon as that is printed that column becomes useless. Then you can save that column off, and print the remainder in the Names Index—throwing out the name in each instance in the margin as Mr. Dillon has done heretofore. Is that practicable?—Quile.

354. The VICE-CHANCELLOR.—We should wish to see that done!—The experiment in hand then should be stopped till I get ruled sheets prepared for the experiment now ordered.

387. The Laid Christ Baron.—We will see one or two of the abstracts you have done painted into three-books first.

The Commissions were then conducted over the establishment—over the type set and witnessed the process already described of stereotyping and finishing the blocks.

388. Mr. Dillon then having received a stereotype block of one of the abstracts proceeded to print it with his machine in a bound book which was made so a size to suit the machine—but smaller than those in use in the Registry Office, and showed a machinist for stamping a number across each abstract as printed in the book, according to its priority about which there then could be no mistake.

389. To move the numbers I see you touch the machine!—Yes.

309. But I would have a machine that would work of itself!—Yes; an automatic machine, self-altering and recording. I have devised such a machine.

391. The VICE-CHANCELLOR.—That should be in the hands of the Registrar only.

292. The Lord Order Bards.—Or whoever puts
the number on the deeds.

593. **THE VICE-CHANCELLOR**.—The Registrar or his assistant who receives them puts the priority number on the clerk's box.

394. The LORD CHIEF BARON.—And of course that should be subject to a deed being right, and checked.

325. The VICE-CHANCELLOR.—The process is this—a deed and an abstract are brought in and handed to two Clerks. One takes the deed and the other the abstract and they check them as to the parliamentary requirements. As soon as that is done and the instrument found correct, it goes to the Registrar or Assistant Registrar on duty and he puts the day and hour of receipt and the register number upon it.

396. The Lord Chief Baron.—Then the delay or default of a man in the Registry office might affect its priority in the registration of a Jew.

397. THE VICE-CHANCELLOR.—No, because they go in succession to the Registrar as received in the office.—No. Formerly that was so, but now you are actually and solely dependent on the *bona fides* of two coarse gentlemen in the office.

306. Is that done?—It is. I bind myself to that and I make this suggestion, that you would get over every difficulty if before the young gentlemen compare them there is automatically put on the priority number.

369. **THE LOAN CHURCH BANCER.**—Subject to its being right and if it is wrong, then it is returned and he loses his money.

400. Mr. FIDDLER.—But then if a deed was thrown out for error that would disturb the number.

401. The Lead Chief BARRY.—No, instead of having anything entered in the book after that particular number you would simply have the word "Rejected." I was informed by Solicitors myself that that was the practice and that it did depend on the vigilance of the clerks in the office what principle a deed got.

402. The Vice-Chancellor.—Oh, no, there are only

EVIDENCE
 taken
 Dec. 2, 1938.
 before
 Mr. Thomas
 A. DILL,

EVIDENCE

Jan. 5, 1893

Mr. Thomas
A. Dillon.

two clerks in the office for comparison, they are together, and as I understand the deeds are handed to them in the order in which they come in and are taken from them to the Registrar in the same order when compared!—Not necessarily in the same order.

403. Mr. Dillon.—Whenever a rush comes they bring down half a dozen extra clerks if necessary, and put them on the work of comparison. Two clerks could not deal with the rush of business which comes in generally after two o'clock.

404. The LAND CHIEF BARON.—What I would object to is, that if a man brings in a long deed which is right, and that is given with the abstract to the two clerks in the office to be compared, and that another and a shorter deed affecting the same lands is brought in, which because of its being shorter is revised first, that that should be handed to the Registrar and get priority of the deed which was first sent in.

405. The VICE-CHANCELLOR.—A deed does not lose its priority by reason of its length, or the slowness of the clerks in comparing the memorial with the deed, because the moment it is handed in to the registry by a clerk it is numbered and never loses that priority number!—It was exactly as you state in the other times, but it is not so now, and it is possible—and occurs, I have no doubt, often. If two deeds come in—one containing 50 or 60 lines, and another very long—there being four clerks at the comparisons at the time, if the shorter deed is finished first—although it was handed in last, it is registered first. The priority number is put on as the deeds are handed to him by the Registrar after comparison by the clerks.

406. Mr. FINLAYSON.—Surely the Registrar takes down the hour and minute of the reception of a deed. If a long deed is handed in first it is revised first!—No, it is as I have said. The Registrar does

not see the deed until after the comparison and the Registrar does not put on the priority number until after the comparison.

407. The O'CONNOR DEED.—Is the time of reception registered after the comparison and not before!—Certainly. Mr. Finlayson and the Vice-Chancellor are thinking of the old plan, but in the time of the rush of the Incorporated Estates Court business, this new practice was introduced—a practice which never had the approbation of Mr. Chapman, of Mr. Day, of myself, or of any one of the senior clerks of those times.

408. You say the old practice has been altered, and that now the increment of the time of the reception of an instrument, and the priority number are not attached until after the comparison!—Yes. That entry is not made until after the instrument goes to the Registrar and the Registrar does not get it until after the comparison is over.

409. The VICE-CHANCELLOR.—Certainly this is a matter which must be examined into, and if this is Mr. Dillon states, it ought to be remedied at once. We are all perfectly satisfied that there would be no difficulty in constructing a press to print into bound books and we have given Mr. Bryers a direction about a new form—and he is going to have paper ruled off in that way—which may be printed by an ordinary press.

410. Mr. Dillon.—It takes eight minutes to set up in type an average sized abstract, and an average workman could readily set up twenty of them in a day.

Mr. Bryers reported, at a quarter to three o'clock, that the sixty abstracts which had been given to Mr. Dillon by the Secretary in the morning had been set up in type, but they were in a form different from that of those handed to Mr. Dillon.

MONDAY, JANUARY 26, 1893.

MR. GEORGE BRYERS EXAMINED.

Jan. 26, 1893.

Mr. George
Bryers.

411. The VICE-CHANCELLOR.—You are manager of the Dublin Steam Printing Company!—I am.

412. And, of course, you are thoroughly acquainted with the printing business!—I am practically acquainted with the whole business.

413. I believe it is carried on in your establishment in the most improved manner!—It is; we employ about 180 people in the different departments.

414. Did you receive from the secretary a number of abstracts of deeds copied from the forms of the Registry of Deeds Office, amounting I think, to either sixty-two or sixty-three, which you were told represented one day's work on the average in the Registry of Deeds Office!—Yes.

415. You also received from us instructions as to the forms of books—both the abstract book and the index—which we propose should be kept in the office, and got the rough forms of the headings to these books!—Yes.

416. I believe you have printed the headings according to those forms, and you printed specimens of the Abstract Book under the headings you were told, and also specimens of the Names Index under the proper headings, and of the Lands Index in the form contemplated!—Yes.

417. Have you had any experience, Mr. Bryers, as to the practicability of printing such entries in bound books!—No, except as an experiment; I have never printed into bound books in the manner that is now contemplated.

418. Has not Mr. Dillon been in communication with you on that subject!—He has for a considerable time.

419. And he proposed in your printing office a press that he had made for the purpose of trying the experiment of printing into bound books!—He did; and when I say that I never printed into bound books, I mean previously to that. Of course I printed with Mr. Dillon's press in bound books, but with no other.

420. Have you had an opportunity of forming an opinion, as a printer skilled in your trade, as to the practicability of printing neatly into bound books!—I see that it can be done practically.

421. Do you think there would be any difficulty with an improved press in printing into bound books!—No, it only requires an improved press made of iron, and some alterations of detail on Mr. Dillon's model. That would, I think, give a very suitable press.

422. And if a suitable press were provided would there be any practical difficulty in doing the work of printing into books in the Registry of Deeds Office!—I believe not, but it would require two presses to do the work of that office.

423. But with proper presses and a sufficient number of them!—I am quite satisfied it could be done just like any ordinary printing work.

424. What is the process you adopted with the copy of the abstracts handed to you!—First we

asked them in pencil so that we might be able to identify the matter again, when it came to be "made up." Then the foreman compositor cut the manuscript up into different slips technically called "bats."

435. Did each slip represent one abstract?—No; in some cases it did not. When regulated in that manner in "takes" these were given out and set up by the compositors.

436. And were they set up in the ordinary letter-press?—In ordinary type, in the ordinary way.

437. What was the next step?—The type was taken to a man whom we call "the clicker," who arranged it in a chase in the order in which the abstracts were to be stereotyped. The chase used is a frame of iron a little larger than the page of the Abstract Book—when the type is locked up in it it is called the *forme*. The form was then taken to the *proof-press*; a proof pulled, and taken to the reader, who reads it to see whether there are any departures from the copy or any literal errors the compositors may have made in fitting the type.

438. In that process does the reader compose the proof with the original document?—Yes; and the matter is handed back to "the clicker," and he makes the corrections.

439. If any?—If any; there are generally, if not departures from the copy, a few literals, because in the distribution of the type perhaps a man may throw a "s" into the wrong box, and picking it up for the proper letter would lead to what we call a *literal*.

440. So far, that is the ordinary process of letterpress printing?—Yes; when the "clicker" makes the corrections marked by the reader, he takes the form again to the *proof-press*, and another proof is pulled, which we call the "revise." The reader then looks at that to see that the corrections he had marked have been made. If correct the form is then brought to the foundry, and from the form the matrix (as would in paper molds) is made.

441. The foundry is a department in your office?—Yes; the stereotype foundry. After the matrix is taken, it is then cast in metal, and is brought up then to the finishing shop of the stereotype department, and trimmed. Sometimes, where there are blanks appearing in the form—for instance, if the descriptions of parcels are a little longer than the other columns, the stereo plate is occasionally a little higher where the blanks would be, and the man who finishes the plate has to examine it, and if it requires dressing, he takes it down with a chisel.

442. In that way you have the stereotype plate ready for printing?—Yes. These plates, in the first instance, have been made up to the size of and with the particulars of the Abstract Book, representing ten or twelve abstracts which would appear on the full page of the Abstract Book. This is done in the case of all the day's work, so that six or seven plates at the outside would cover the sixty-two or sixty-three abstracts.

443. The LEAD CHIEF BARS.—Didn't you print the Abstract Books then from these plates?—Yes; the plates were then put on a block or piece of timber and fastened down. This was then brought to the press, and was "made ready" in the ordinary way for printing. A ruled sheet, representing Abstract Book, was put on the top of it and printed off.

444. The VICE-CHANCELLOR.—And that block was supposed to represent an entire page of the Abstract Book?—Yes; and if we were doing a number of copies of the Abstract Book, like an ordinary book, the eight pages would be printed at one time; but as we were printing only six copies, we did not go to the expense of locking up all the plates into one chase.

445. What was the next thing that you did with your stereotype block?—We printed first in the Abstract Book; then we wanted to prepare it for the Lands Index, and we took back the block to the stereotype room. There the stereotyper cut off the outer column with a circular saw, and the plate was then ready for printing into the Lands Index.

446. The column that you saved off, is the one on the right-hand side of the page that headed—"the names of the parcels as stated in the instrument"—Yes.

447. That was not intended to be used in the Lands Index, according to your instructions?—No.

448. But did I understand you to say, that a number of abstracts in consecutive order were all contained in the one stereotype block?—Yes; exactly what appeared in one page of the Abstract Book.

449. Then before using it for the Lands Index, you had to cut it across, as well as down the outer column, so that each became a separate block for the Lands Index?—Yes.

450. But with that exception, it remained exactly what was wanting for the Lands Index?—Yes. The cutting up of the page would be considerably under five minutes; in fact two or three minutes would do it.

451. Then what did you do as to the Lands Index?—One of these plates or two—whichever number was to appear on one page, was put on a block as the original plate was for the Abstract Book, and they were "proofed" in that order.

452. The instructions you got were, that each of the pages of the book was supposed to be headed with the name of one townland according to the Ordnance Survey?—Yes. I was also desired to pull two on the one page. For experiment; as a sample.

453. Then according to the proposed plan, each abstract would be printed under the heading of the name of each townland mentioned in it?—Yes.

454. For which you would have to take the same plate and print from it on several pages according to the different townlands contained in it?—Yes; I took a calculation of the number of townlands in the sixty abstracts, and as near as I remember now, there were about 150, and that would represent 150 distinct printings.

455. For the sixty-two or sixty-three abstracts?—For the sixty-three abstracts there would be sixty-three blocks—that is, a block representing every abstract, but in some of the blocks there would be five or six townlands, and the block would never be disturbed all the townlands on it had been printed in their proper places, but there would be from the sixty-three blocks 150 impressions taken. It would economize and save considerable time, if the form that was to be printed in the Names Index, and the Lands Index, was the same, because if they were the same the sixty blocks would only require to be "made ready" once, and we could print in both the Lands Index and the Names Index before disturbing the blocks.

456. To make the block suitable according to the plan we now propose for the Names Index, you would have to cut off the next column of the abstract headed "The Ordnance Survey Names of Lands." Was your next step to saw off that column?—Yes; to take the plates which we had already printed in the Lands Index off the blocks, and saw off that column. The readjustment of the plates on the blocks, and the "justifying," takes a good deal of time, and if the same matter was printed in both the Names and the Lands Index under their proper headings, and in their proper places, it would be a saving of both time and money.

457. The Names Index, it was proposed, should be printed in alphabetical order. Each page headed with the first two letters of the name alphabetically, according to which it was to be printed?—Yes.

458. And each name would require to be printed under the proper alphabetical heading?—Yes.

459. It was proposed to you that in order to catch the eye of the searcher, there should be thrown out on the left-hand side of that, the surname and Christian name of each of the grantors?—Yes.

460. Which were supposed to be set up in ordinary type and inserted in a chamber on the left-hand side of the block in which the stereo-plate was to be used?—Yes.

461. In carrying that out, after cutting off the two columns, as stated, you printed in the Names Index

EVIDENCE.

Jan. 14, 1866.

Mr George

Byss.

EVIDENCE.
—
Jan. 26, 1902.
—
Mr. George
Byers.

a copy of the matter contained in the altered stereotype type for each grantor in the instrument?—Yes, from the block of stereotype so altered I printed all the entries in the Names Index; if there were five grantors there were, of course, five impressions of the matter on the block, one for each grantor, whose name was placed in the Index, on the page allotted to his surname, and both his Christian and surname were thrown out in the margin of the entry by means of movable type.

452. Would you be kind enough to look at this (the third page of the specimen of the Names Index-book)?—There is printed there the abstract of a deed in which there are six grantors all of the surname of Andrews, but each with a different Christian name. That abstract has been actually printed six times over, only throwing out in the column at the left-hand side of the page the Christian name and surname of each grantor.

453. Would it not be a great simplification of that, if the surname was printed only once, and in that left-hand side the Christian names of the grantors having the same surname were printed one after the other?—It would.

454. Is there any improvement that you would suggest on that?—Well, there is one thing that occurred to me—as regards the economy of not disturbing the block—namely, that it should be, after it is put in form for printing the Lands Index, used in the same form for printing the Names Index, so that we should only have the one “justifying” of the block.

455. That is to leave in the Names Index the column headed “Ordinance Survey Names of Lands”?—Yes, I will tell you the reason for that. The printing of a block into a page does not represent merely the putting in of the block into the form and pulling it. First we have to take an impression of it on a piece of paper to see what kind of an impression it would give, because, through some cause or other, the impression might not be even, some parts showing light and some thick, and this has to be remedied by the man working at the press. Therefore once we start the form and have it ready, the more times it could be utilized without changing it, the better it would be for economy and speed.

456. THE LORD CHIEF BARON.—The reason of our proposal was that it was thought probable that the names of lands would occupy a considerably larger space than the names of the parties, and that, therefore, there would be a great deal of waste space, and that as the names of the lands would not be required in the Names Index, this waste could be avoided by cutting off this column?—My objection arises from this, that under the proposed plan we would have to “make ready” the abstract 120 times instead of 60 times.

457. On the supposition of 60 abstracts?—Yes; because the cutting off of the column requires the disturbance of the block and a second making ready for each abstract.

458. THE VICE-CHANCELLOR.—It has been since suggested, Mr. Byers, that the Lands Index shall not contain that column with the names of the Ordinance Survey townlands in it, because the townland against which you are printing would be sufficiently identified by its being at the head of the page, on account being opened, as it were, for each townland, and therefore, instead of saving off one column, when you come from the abstract book to print the Lands Index, you would have two columns cut off, leaving it just as you want it for the Names Index, and the Lands Index.

459. Would that meet what you require?—That would effect the very thing.

460. Have any recommendations occurred to you about throwing out the NAMES of the grantors different from what I mentioned?—Well, suppose we have an abstract in which the grantors are Andrews, Gray, and Jones, I would suggest that, instead of throwing

out the name in the first instance, I would print the abstracts under the names of Andrews, Gray, and Jones, in their proper places. I would then have a small press standing alongside this larger one, and a boy could easily turn up the different pages afterwards, and in two or three minutes he could print in the names which should stand in the margin.

461. Would that involve the risk of the double process of printing?—It would gain time and economy, as the arranging of the movable type into the block would take time.

462. But as regards accuracy?—Of course it would be more accurate in one impression certainly; but my suggestion would do away with the necessity of having a compositor standing by the press.

463. Could it be got rid of in this way—suppose we were to open a page for every surname, just as we propose to do for every ordinance denomination in the Lands Index—that would get rid practically of that outside column altogether?—It would.

464. And then you could print in your stereotype plate without the trouble of setting up on the left-hand side every name?—Yes, that could be done.

465. And do you think there would be any difficulty in setting that up so as to arrest the attention of the searcher—to catch his eye in the same way as the name thrown out in the margin would do?—The only thing you could go on then would be the Christian name, and that should be put in different type.

466. But in the proposed plan there would be on the stereo-block not only the name of Andrews, but also the names of Gray and Jones?—Yes.

467. And searching under “Andrews” you would find under that name all the abstracts printed?—Yes.

468. And the only difficulty would be to find the right Christian name of Andrews?—Yes; but the printing in of the names in the way I suggest would cost very little in addition.

469. The objection though is that it would be liable to error. The accuracy of the principal thing to be searched against, viz., the particular name thrown out in that column, would depend on the boy putting it in its right place?—Yes; it was only to save time I suggested it; but, if necessary, you could follow the original idea, which for accuracy and completeness is the best, and have a place cut in the block for inserting the name and putting it in in type. The names being all set up, the compositor would have there beside him, and he could “lift” such as he wanted it, and no doubt, eventually, the pressman could do it.

470. Did you make any calculation of the time it would take to print, in the way you made the experiments, that average day’s work, what number of men you would require, and what time it would take to set it up?—Well, as regards the setting up of the type, the stereotyping, and everything, except the printing into the books, I could tell you.

471. That is exactly what we want to know?—First, let me ask would it be an officer from the Registry of Deeds that would read the proofs, or would you leave it to the printer?

472. Give your calculation on the assumption that there would be an officer to do it?—It would take sixty hours to do the work. I put it on the calculation that one man does it; and we can lessen the cost the more we put on it.

473. Then five would do it in twelve hours?—Yes, and eight would do the day in seven and a half hours, and so on on that basis.

474. That includes the setting up in type, the stereotyping, the preparing of the stereotype plates, and putting them on the blocks you have to print from?—Yes.

475. That is for the abstract book?—Yes.

476. Then anything after that—the saving off of the columns—will be some small addition?—Yes.

477. Mr. MAYHEW.—You could not tell us separately how many hours it took to set it up in the metal type?—Yes, by the number of men I put on; if I put ten men on it I have it done in six hours.

475. But there will be the work of compositors, founders, and printers. Could not you separate those?—Well, you see, to a certain extent, the work is all going on together. When the first form is ready it goes to the foundry, and by the time the last form is ready for the printer—the composition would, however, take about fifty hours. I don't include press work.

476. Mr. ARMSTRONG.—You could get up an abstract book like that (showing him the Commissioners' form) with ten men in six hours?—Yes, and stereotype it; but the stereotypers would be working for some time after the compositors were finished.

478. The VICE-CHANCELLOR.—You did not tell us what it would cost, Mr. Eyles?—The cost would vary, and would depend on the time it is to be done in. If done at night it would be more expensive than if done in the day time, because we would then have to pay overtime to the men.

481. Could you give us an estimate both ways?—I would not like to give you an exact estimate at present. I can tell you roughly that to have the abstracts set up and stereotyped for printing into these three books would cost about £3.

482. Is that for the setting up of a day's work?—For the setting up, the stereotyping, and preparing the work to be printed.

483. And does that include the presswork also?—No; it does not include printing. I stop at the printing.

484. Did you consider how much it would cost including the printing—the presswork?—Well, at the start we would require to put two men on the work. When men start to new things they are slower than when they become more practised, so you could just add to my estimate the wages of two men for the printing. The printers would require to work longer than the compositors, but two men ought to do each day, and that would represent about 17s. 6d. additional.

485. About what time would it take, do you think, to print them?—Well, it would take two men working about eight hours a day to do it in addition to the six.

486. Therefore you could not, with ten compositors and two pressmen, have the work turned out under fourteen hours?—The way I calculated it was this. If we got the matter from time to time during the day up to four o'clock, and the balance at four o'clock, we could have it all in type by eight o'clock that evening. In fact, I calculated that if we got all the copy together at four o'clock, it would all be in type at nine o'clock, but we would prefer getting it from time to time during the day, for anything after seven o'clock is night work, and is paid for at extra rates. I would have it out of the foundry then in the morning at ten o'clock, and the pressmen would have Monday's work printed on the Tuesday.

487. In that calculation, do you reckon on having it on sheets of paper or printing it into bound books?—Printing it into parchment books. Printing it on sheets of paper, in that way, it could be done in a couple of hours.

488. There would be no use in putting one additional pressman upon work of that kind?—Well, it would be always necessary to have a press to spare. Some days, perhaps, instead of having 250 names to be printed, there might be 300, and you always want to be able to guard against falling behind.

489. Is there any practical difficulty, according to your experience, in printing upon parchment?—No practical difficulty. Here (producing it) is a parchment print of part of the abstract book which I printed at half-past two to-day. (4½ o'clock, R. J. L.)

490. The difficulty has been suggested, when printing into bound books—bound parchment books—of what I believe is technically called a "set-off" of the type before it is quite dry, upon the opposite page. Could that be avoided?—Oh, yes; that could be avoided by interleaving, or by putting slips

between the pages, which slips we could remove next morning.

491. But it would not require to be interleaved permanently?—No; not necessarily.

492. After making an impression on a particular page of the book, and interleaving it, could you proceed with the printing in another portion of the same book?—Certainly.

493. And the pressure of the printing press would not cause a set-off to appear?—No; it would set-off on the slip interleaved only.

494. And would not injure the impression?—No. Parliaments of course take a considerably longer time than paper to dry.

495. And would that much delay the printing?—No; because by putting in slips we could go on in the regular way without delay. I have printed a thousand parchments at a time.

496. Mr. MANNES.—When you make your estimate that two men would print this in one day, how many entries have you calculated on?—20 points into 156 townlands and 117 grangers—that is the number in the sixty-three abstracts I received.

497. According to the evidence which we had before us, the average on that number of abstracts would be 180 entries in the Names Index, and 240 in the Lands Index, besides the 60 in the abstract book—that is 480 altogether, if we only kept one copy of these books, but supposing we kept three copies of each, which probably we would, it would be 1,440 printings?—It would be a little less, as six plates, and not sixty, would represent the Abstract Book.

498. Is there any difficulty at all in setting two stone-plates?—No difficulty; and the extra cost would be small.

499. And having two printing presses at work?—If you mean on duplicates of the work, I don't think that would be an advantage. Where the time is lost is in putting up the stone into the block, and making it ready to give the impression. The number of the townlands and the grangers would not greatly increase the difficulty so long as the deeds averaged about seventy a day.

500. Supposing you had one printing press at work, with that number of printings to do (1,440), how long would it take to put that into the three books—could it still be done in a day?—A man is supposed to make 350 pulls of a pretty large sheet in an hour, but of course you could not calculate at the same rate in working into books. It would greatly depend upon the ease with which the book was got at, besides the number of different blocks he to be considered. Of course my calculation as regards the printing into books depends greatly on Mr. Dillon.

501. The LORD CHIEF BARON.—In what way?—In this way—Mr. Dillon showed me, and I have proved, that I can print with his press, but then I would not start with less than two men present in the first instance to do the work, and secondly, the press should be such as I could work with practically. His is only a wooden model, I should have an iron press.

502. But leaving Mr. Dillon out of the question, suppose you had the fullest power to order what presses you thought right, would there be any difficulty?—None whatever. I have discussed this matter with Mr. Dillon frequently, and I know what improvements could be adopted. For instance, in the making there is a loss of time, and a press could be made with a self-inking apparatus.

503. The VICE-CHANCELLOR.—But suppose we ordered a press from one of the best manufacturers, Colonel Leach, who has great experience in this matter of registration, informed us last year that he had communicated with one of the first makers of printing presses in London, and that he told him there would be no difficulty whatever as to constructing a press to print in any part of a bound book. Do you see any practical difficulty in that?—No.

504. Mr. MANNES.—Do you know of any process of the kind except Mr. Dillon's in use?—No. I

EDINBURGH.

June 26, 1874.

Mr. George Eyles.

Bryon.

DEEDS OFFICE.

Jan. 25, 1860.

Mr. George
Ryves.

think it would be a very good thing if an iron press were made on that model, and you could try the whole presswork practically. You could not give it a fair test with the wooden model.

505. Mr. LANE, Q.C. (Secretary).—In fact, did not part of Mr. Dillon's press break the other day?—Yes.

506. How many pages of that parchment could you put into a book, do you think?—In registering the same I would like to follow as much as possible the Registry of Deeds—the way they carry out their books now—and I have no experience of that.

507. The LORD CHIEF BARON.—Of course you have had experience in printing upon loose sheets of parchment. Now, upon any occasions have you seen these loose sheets of parchment, from time to time as they were printed, thrown one on top of the other, so as to amount to a considerable heap, and so that there would be a considerable amount of pressure on the parchments underneath?—Yes.

508. And have you found them to hurt?—Not generally. I have seen as many as a thousand, one on top of the other, and a sheet or two would show a "set-off," but that would be probably from carelessness in the way the boy handled it.

509. How long would it require that the interleaved portions should remain in the parchment books to prevent any set-off?—If they were printed to-night, say till the morning.

510. JAMES CHANCELLOR.—I suppose you have a process for drying these things?—I was going to suggest an idea that could be adapted for drying the parchments.

most—a heating apparatus—we have a machine—the patent of a Dublin man, Mr. Gill of Sackville-street, one of the most ingenious things that was ever designed—which takes a sheet of book-ork, or any other sort of printing, fresh from the printing machine, through cylinders heated by steam, and delivers it dried, pressed, and finished in the brief manner.

511. How long does that take?—Half a minute, while I am taking it off the machine, and passing it through the cylinders. That process has been adopted by nearly all the principal printing offices in England, and the same principle, or a modification of it, could be applied to parchments.

512. The VICE-CHANCELLOR.—Not if you are dealing with bound books?—It would require to be applied in another way. If you wish I will get a half dozen or a dozen parchment sheets. We will print on them, sew them up, and put slips between them, and see how long it will require to lie before the slip can come out.

513. The LORD CHIEF BARON.—That will hardly do, because it is the great weight of the rest of the book in which the printing is put, that causes the difficulty and the set-off.—We could get over that too by putting a weight on it. In fact, the greater the weight on it, the quicker the parchment would dry, because the set-off would then come off on the slip. Formerly when I wanted a parchment dried in a hurry I put it into slips, and put it into a hydraulic press, where the pressure is three tons to the square inch, now I put it through the hot rolling machine.

MONDAY, FEBRUARY 2, 1860.

Mr. A. MAGNIE DAY, EXAMINED.

514. The VICE-CHANCELLOR.—I believe you are the senior clerk in the Registry of Deeds Office?—Yes, and the senior officer altogether.

515. And of course you have had great experience in all the departments in that office?—A great deal, sir.

516. I think we shall best get at what we want to know, by asking if you will be good enough to make any statement to us—is there any improvement you can suggest, or anything you have to complain of in the present system?—I sent you in a very long paper, a document that took me a whole month to prepare, and that contained everything I had to say on the matter.

517. But we would rather you would tell us now any suggestions you have?—I would rather answer any questions you put to me. In the first place, from the beginning to the end of the establishment, I think that there is a great deal in it that might be improved; but, at the same time, taking it all in all, it works remarkably well. In a pamphlet which I wrote some twenty years ago, I suggested several of the matters that you have already reported upon, for instance respecting the substitution of the entire deed for the memorial, and also to have accompanying that deed an abstract of it, similar to our abstract, but different somewhat from the one in your report, inasmuch as I would put as a preface to the abstract the names of the parties as set out in the deed—a deed dated so and so, between George Rogers, James Corry, and Denis Moore, with their additions, and then "which deed is hereby required to be registered according to the precept below." (See precept, infra, p. 129). Then I would have that signed by the parties to the deed in the same way as the memorial is. The object of my prefixing the names of the parties would be this—if your record was only to contain the parties as given in our abstract without anything of the relations of them being stated, it would necessitate a constant recurrence to the original deed. For instance, take any common name affecting a common denomina-

tion of land, and let it be, say, John Murphy affecting Rathmore. That would be a thing that would interest a great many of the persons searching, but there would be no way of ascertaining whether it was the person or not against whom the particular search was directed, unless you had all the names set out as I tell you.

518. You have not seen the form of the abstract that we propose, Mr. Day?—I did not see any form that you propose, but as I gather from your report, it is almost identical with my own, except that you have not a column in it for the Ordinance Survey name. What I proposed is that you should not only have the names of the townlands and the premises as described in the deed, but exactly opposite to it should be the name of the townland as it is known on the Ordinance Survey, grouping with these denominations.

519. Does that form of abstract appear in the pamphlet you wrote?—Yes, and in the paper that I sent you also. I did not give the form as a form—I merely premised it.

520. This (Abstract Book) is a form we got printed, with headings showing a day's work from the Registry of Deeds Office, in the shape we propose to suggest it, and in accordance with what we have already suggested?—That is almost the very same thing that I was speaking of, excepting that you have not the consideration. I would suggest that it should be left optional with the parties to put that in.

521. And what benefit do you think would result from that?—There are many deeds that in fact the consideration denotes their action. For instance, a mortgage. A mortgage, if merely called a mortgage, will be in effect a charge for any amount, whereas if, as the other hand, the consideration be £500 we know it is limited to that; again if it is one of those borrowing mortgages for £500 or for any further advance not exceeding £500, or as the case may be, then on the registration of that the mortgage is defined. I see you have got in this form a thing we always adopt, when we have no consideration stated, when I see at the end of a deed—for I have to compare them—that

there is a mortgage for consideration therein and subject to redemption on payment of £4,000 then I add "mortgage to secure £4,000."

622. Would you add that in the Abstract Book, though it does not appear in the memorial?—It would appear in the memorial, I am speaking of a case where the consideration is not set out but merely a mortgage "for the consideration therein mentioned"—and then if at the end it says—subject to the payment of £4,000, I put in the abstract "to secure £4,000."

623. It occurs in the abstract before you in two places—a mortgage to secure £3,000!—Yes, and you have added the consideration £4,000. The general form is "subject to repayment of the sum *therein mentioned*," and I think it would be very advantageous, to have the consideration where the parties don't object stated in the abstract.

624. You think it would save a reference to the original deed?—I think it would, but I would not make it obligatory. Some persons object to put it in at all.

625. You would leave it optional, putting a column in the abstract for it?—Yes.

626. We have made a change since this was printed, in this way, we had recommended that a deed should only be registered against the persons whose execution had been proved. In order to distinguish the grantors whose execution is proved, from those whose execution is not proved, we propose to have a double column for grantors—"grantors whose executions proved," and "grantors whose execution not proved"—That will meet my objection. Having a knowledge of everything people do, because I have to read everything coming in there, I doubt whether your former suggestion would work. I saw a *stiffness*, just after I read your report, that I think would require to be sent to three-fourths of the globe, to have it executed by the parties, really necessary. It was I think a conveyance in which they put all the parties having charges together, and made them all convey to the purchaser, as they used to do in the old deeds from the Court of Chancery. I determined to take a note of that and I have kept it in the office to show to you but you should all upon me. That could be obviated by putting it on record in the first instance—upon proof of the execution by some of the parties all the others were recorded and practically provisionally registered.

627. Would you propose to run the names of the grantors whose execution has not been proved through the Names Index?—I would say just as the Lord Chief Justice did with respect to Wills. I would say a practice which has stood for 150 years without doing any one harm should be left alone, I should leave the proof of the deed to rest as it does when it comes before the Court, I have rarely ever heard any person complain of being made parties to a deed, except such parties as trustees of a marriage settlement for instance, and we really don't know what to do with these. Under the rule which existed a considerable time ago we were obliged to put down every person as a grantor that was silent—every person to whom there was not a grant.

628. That is every person who could be a grantor?—Yes, and from the way in which the memorials were drawn we did not know what parties were omitted, so fearfully as we always erred on the right side, and we did that by direction of Mr. Moore—a gentleman then at the head of the office, who told us "if ever you have the slightest doubt give it in favour of the purchaser."

629. Mr. MADDER.—And that whether it purported to have been executed or not?—We never looked to that.

630. Supposing a deed was brought up for registration—we all know that under the existing system it is registered against every person as a grantor who does not appear clearly to be a grantee, provided he has executed the deed, but do you, as a matter of practice in the office, register against all the parties

to the deed whether they have executed it or not?—Yes; but your practice prevails in the Middlesex Registry. I objected to it there when I was over and saw them working, and the gentleman said if it was not for that we might have friends. I never heard of a deed existing in Ireland owing to that. Every deed stands on its own feet. If you produce it, it will prove whether it was executed and registered by the parties. I will tell you what they do in Middlesex, which is almost tantamount to—or rather better perhaps than what you propose. They, in the case of a deed in which there are several parties, put down there being only two whose execution is proved. They will put on the deed A B and C D; execution proved, thereby in their certificate telling what has been omitted. Now our certificate is most delusive. It says a memorial of the deed was registered. I have seen memorials of a deed that would not stand on their feet, and yet you, or any other gentleman advising on title, take it for granted that it is correct. In my paper I propose if you were to prior this abstract every day that instead of having a certificate on the deed, which you say is to bind the whole world—you would only stamp your deed as registered and put as your certificate a copy of the abstract and append it to the deed, and then any person will know whether or not it is properly registered.

631. The VICE-CHANCELLOR.—Do you mean that a copy of the abstract after it has been struck off in the Abstract Book should be annexed to the deed itself?—Yes.

632. And handed back with the stamp of the registry upon it?—Yes; or I would let the abstract remain as a certificate. I would say the deed has been registered in accordance with this precept or abstract—

633. And how would you connect them?—I would put a number on the abstract and the same number on the deed.

634. And would not that be open to fraud—suppose a person substituted another document?—No; I would have nothing in the shape of writing that could be forged for a certificate; but a stamp—the Registry of Deeds stamp—an imperishable one which should mark every document going out of the office and be a certificate. I remember a case in which I saw four or five or six deeds (in an unfortunate transaction that some years ago took place) brought up to the office. I was handed one of them and I was asked "Is that Mr. Glanville's writing to the certificate?" I said "it is very like," for it was admirably done, but I found on looking more closely that it was dated in 1855 or 1856, and I said "Mr. Glanville has not been here since 1849." That deed was passed in London and I think some £30,000 advanced on it, on the registration certificate of a man that was dead at the time, and who certainly, at all events, had not been in the office for several years. I would have everything stamped.

635. But what would you gain by connecting it with the deed itself after you have once stamped it as a registered abstract in the Registry of Deeds Office?—It would advise any gentleman that was using a deed for substantiating his title, or any man reading it as a monument of proof—as to how far the deed was or was not registered. In your report you leave it possible that a man may leave off a party or a disavowal and that no person would be the worse of it but the person that made the mistake. Now that is a great error, for in the case of a deed of different actions any person registering it might then register it separately with regard to that set of interests which he represented.

636. Would not the loss occasioned by that fall on the persons who failed to bring in a proper memorial?—Not necessarily so. But what I wish to attract attention to is that there may be different interests represented in the one deed—interests altogether

EVIDENCE.
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P. 5, 1846.
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Mr. A. MADDER.
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EVIDENCE.
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No 1, 1102.
Mr. A. Magee
Day.

Different from that of the party bringing it in for registration, who may only register it as to his own interest.

537. And how would you get over that by annexing the abstract that has been brought in?—By a seal that would fit it to the deed. You will find all that better given in my letter of the 26th November, 1875—paragraphs 23, 31, and 55. (*Infra* p. 125.)

538. We also were considering the propriety of printing the indexes, and assuming that they can be printed from time to time into bound books such as are at present in the office, it occurs to many of us that it would be an advantage. We have got forms of these books, and what was proposed was that the Abstract Book should be first printed, as it requires more information than is necessary either for the Names or Lands Index. Then, as you have already seen in the first report, that the Lands Index might be constructed by opening an account in the barony book headed with the particular Ordinance survey denomination. The block of stereotype from which the Abstract Book was printed would be brought into use for the Lands Index by printing into that the same matter short of the last two columns. First, do you think there would be any inconvenience from having the Abstract Book as wide as that (specimen shows, 30 in.)?—I think not, sir; I think it would be rather an improvement. The way we do them now is on the opposite pages of the book doubled up, but having them together in one page is even clearer.

539. You see there is the abstract of a deed—it contains the date of the instrument, the names of grantors whose execution is proved, the names of grantors whose execution is not proved, the names of one or more grantees, the nature of the instrument, then the county and barony, which we think would be everything for indexing?—I think the county quite sufficient. It was introduced many years ago owing to our indexes being framed according to the Act of Parliament—Williamson, John, to Edward, Henry, then opposite to that would be the first denomination,—Rathmore, in the barony of Coolock, county Dublin, without shewing whether there was any more or not. That was done away with, that is the denomination and barony, and there is substituted for them merely every county, or every city or corporation town, and by that means a searcher could at once determine whether the property after which he was searching was included in the deed.

540. Look at the way in which that would appear in what we were thinking of as the Lands Index?—I see—the one curtailed abstract, so to speak, would be diffused through the book.

541. It would be repeated under every township mentioned in the abstract—take the first, Glengriff, county Cork—you have the registry number, the date of the instrument, the grantees, the nature of the instrument, and the barony and county: and we are considering two plans—that the Lands Index should contain also the column of the ordinance denominations, the same as in the abstract, or in the alternative, not leaving that, but substituting a column showing that there were certain lands in those baronies and county of Cork affected, and leaving the searcher to go to the abstract book to find out what they are?—I cannot see what would be the use of the other columns, or the dates of the instrument and of registration. The less you put into an index the better. If you could minimise the necessity of taking down any deeds that relate for instance to such a place as Grafton-street or St. Stephen's-green it would be well. The particular abstract before me has only four grantees, but if there were twenty or thirty, or we will say six, seven, or eight, as there generally are, you would be crowding the index with those things which would oblige a person searching to read the names of a lot of parties he would have nothing to do with.

542. But consider it with reference to the Lands

Index and I will bring you to the Names Index presently—the reason for continuing these columns was this, the first process of printing would be to form a stereotype block to contain the whole of the Abstract Book. It would be printed in the first instance into the Abstract Book. The block could then be utilised by sawing off that column, or those two columns, and leaving the remainder for the indexes. It was necessary, therefore, to retain what you refer to else we should double the process—but do you think there would be any inconvenience in retaining the additional information?—No. If you print it, it is all right; it is not like necessitating a large amount of manual labour.

543. Which would you prefer, from your experience, a form of Lands Index that would contain a column of the denomination of lands, including the one under which the registration appears, or a form omitting that?—I don't think it is unnecessary—every denomination will be searched after individually.

544. Then you think it would be more expedient to omit both the columns of denominations in printing the Lands Index?—Except with reference to the particular denomination—and that would be at the top of the page. But in each alteration of your column you would require skilled labour—you could not give that into the hands of printers.

545. What do you mean by the alteration of columns?—If, for instance, you intend to make a day book.

546. Certainly?—Then if you alter those columns and if that be done by an unskilled person I am afraid there might be mistakes—he may alter the wrong column. You must have, at every step you take, a skilled person to certify that it is correct. There is nothing we do in that office without the most anxious care and watchfulness at every step.

547. But don't you think this would work—suppose we had the stereotype block made in a printing office—the Government printing office for instance—and the actual printing done in the Registry of Deeds Office itself, under the supervision of a skilled officer of that department—so that when the printer altered a column he should in the first instance submit it to the proper officer who should be always at hand for the purpose—would that get over any risk?—Well we do an immense quantity of business, and it would involve a great deal of work for two or three people if all the reading is to be done. We have fifty deeds a day coming in now, having on an average three parties—150 and five denominations—250, and it would take a very large staff to revise that work.

548. But once the thing is set up and in stereotype there could be no error in it—

549. Mr. MADDEN.—Does Mr. Day clearly understand that the columns are not to be altered but only the outside column taken off mechanically?—But you say you will print in books, how will you provide books that could even approximate to what would be necessary for the requirement of an Index.

550. The VICE-CHANCELLOR.—You mean prospecting?—Yes.

551. By having an account opened in the Index Book for every survey denomination?—I thought you had reported against that, and I wrote stating that I thought you must open such an account: but in that case there are some denominations that would defy all computation. For instance Sunday's Well, in Cork.

552. Mr. LACEY, Q.C. (Secretary).—Or Monkstown, county Dublin?—Yes, Monkstown would be overwhelming. But take a medium denomination—that are in Cork, Ballymore, I think, or the Glencore side. That would defy any computation.

553. Mr. MADDEN.—But supposing it did baffle your computation, and you came to the end of your last page we propose that you should then continue the account elsewhere!—There would be innumerable transfers of it. In my opinion there should be some very

great necessity to involve such an other overhauling of the present system.

554. The VICE-CHANCELLOR.—But have you not the same difficulty to contend with at present?—No.

555. Why not—have you not the same despatch to deal with?—But we can make something like an approximation at the present day.

556. We only propose to print what you now write?—But you will print so very much more. Perhaps I am wrong though—I only give my opinion.

557. And we are anxious to have your opinion?—Our present indexes answer all the purposes, I think. You have, in your report, suggested that all the grantees and grantees should be put on the Lands Index. At present we only put Williamson, Thomas, and another or others to Hill, George, and others, and then the number goes to the abstract and sees everything that is to be seen about the deed, at least everything that was obligatory on the parties to register. You say, with perfect truth, referring to Mr. Dillon's proposal to register a copy of the deed, that a reference to the abstract is sufficient and that to crowd an index with the whole instrument would rather confuse than elucidate.

558. And is that your experience?—Certainly. Our abstract is, I think, the greatest improvement to be found in modern registration. I have never seen anything equal to it.

559. Is it your opinion that it would be more convenient to keep the indexes in manuscript?—No; What I have written is I would have the abstracts brought in prepared by the public and each day I would have them printed and a slip of that print attached to the deed, while the abstract as printed would form the foundation of the indexes.

560. Would the same type that prints your abstract print the Day Book also, or should the Day Book be in a different form from the abstract?—The Day Book contains the names of all the grantees and grantees, and all operations, with the reference.

561. In the plan we propose there would be only the reference by the number, the names of grantees, the names of grantees, the barony and county in which the lands are situated, and these other columns in the abstract could be omitted for printing the Day Book if not required for it?—In your form you put the barony and county, and the more you put of these things the more you confuse the party reading. For instance if you said the County of Dublin only you would save a number of baronies.

562. But would not the specifying of the baronies be great assistance in restricting a search?—It would but we don't depend so much on the baronies for they are now subject to change. Under several Acts they have "squared" the baronies—I think that is what they call it—and in so doing they have worked an infinity of mischief as regards our system. For instance, Ballymore-Eustace was formerly in the County Dublin and I think they have placed it now in the County Kildare and barony of South Nass. Again, portions of the barony of Upperroses was changed to Rathdown. These changes are known to the more experienced officers in the department, but as it is great confusion is created by the deed situations in deeds, and greater confusion would arise if this were adopted, unless in the first instance you made the name of the Ordinance Survey designations unchangeable, and their situations also unchangeable. In your report I was astonished to see that there were 1,400 alterations in one year by the Ordinance Survey department. If you go to a shifting basis of that kind there must be confusion and error.

563. Mr. LANE, Q.C. (Secretary).—But these were alterations only in fields, Mr. Day?—But on the other hand there have been immense alterations in the baronies. I mentioned in my paper the different Acts which have created these alterations. It is only a few days ago that I took notice of some of these. I saw a property in Temple-street described as being in the barony of Cooleek, County Dublin, because in the old

title from which the root spring it was so described. It is now in the parish of St. George and City of Dublin, and in England they know nothing about these alterations.

564. But isn't Temple-street in the barony of Cooleek now?—No; it is in the parish of St. George and City of Dublin. The boundaries were up Britain-street, Cavendish-row, turning into a place called White's-lane, and up towards the Circular-road—all that was in the barony of Cooleek, County Dublin, also Mountjoy-square.

565. That accounts for what I observed in some of the deeds sent in the other day from the Registry of Deeds Office—part of Mountjoy-square is described as being in the barony of Cooleek, and other parts as being in the parish of St. George, City of Dublin?—That is the difficulty I am dealing with practically illustrated. And it acts in such a way as to confuse ourselves, if not worse. Say that a townland is changed from Sligo to Mayo and that you are looking for acts affecting George Manders in Sligo, not being notice of the change, having no knowledge of it, you would not mind an entry in Mayo. That was a most ill-considered piece of legislation, and what I proposed in my paper was that these changes which are carried out by Orders in Council should be all registered. Say that if the lands of Ballymote and Thomastown are changed from Ballymote to Netherham that opposite to each of these you should put a reference which will indicate the change.

566. Mr. MANNING.—At any rate the system proposed in our report does not involve any greater difficulty from that cause than the present system—you have always kept your books by baronies?—If they had given us the barony all through there would not be a more perfect system of registration, and I have made myself acquainted with them all.

567. The VICE-CHANCELLOR.—Do you think there would be any advantage in printing the Lands Index?—There would be a great deal of saving of trouble and labour if you have nothing to do but put your type over the different townlands mentioned in the deed and have the entry made. It would be a fearful thing to do all that in writing.

568. Supposing that there were twenty Ordinance Survey designations in a conveyance that would have to be printed twenty different times under twenty different headings—would not the fact of being able to print it from the type once set up be a great saving of time as compared with doing it in manuscript?—Oh! decidedly.

569. I suppose you have had a great deal of experience yourself in searching?—No; I have not made any searches. I have always been engaged on the work of preparing and revising the abstracts.

570. I believe that is the most important of the whole duties in the office?—It is; for as you will observe it forms the ground-work of the entire procedure. In fact once an abstract is prepared the memorial is seldom or ever looked at.

571. Are you able to form an opinion as to whether it would be better to search a printed index or one in manuscript?—I would prefer a manuscript one—they do it so skilfully in our office. But you will easily see an example of that by going to the Probate Court—they print their indexes there and they have opposite each name the substance of the grant. People who are old have frequently told me that they would prefer the writing, it is more easily read.

572. Dr. ELLINGTON, Q.C.—Why do you prefer the manuscript for your own use—is it more easily read?—Well, if you give me a printed document I have to put my spectacles on; but if you give me manuscript I have not. I can read almost any manuscript without glasses, but for instance in the case of the Landed Estates Court deeds I must take my glasses to read them. After all that is an unusual difference. Good print would be perfectly useful.

573. The VICE-CHANCELLOR.—But your opinion would be, that it would be better to have only the

EVANS.

26. 2. 1880.

Mr. A. Magee Day.

EVIDENCE.
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Feb 7, 1866.
Mr. A. Wagner
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counties specified, than to have both counties and baronies?—Yes, in the Names Index.

574. But I was speaking of the Lands Index?—I misunderstood you. I thought that you were suggesting that opposite to the name in the Names Index, you would put not only the county but the barony.

575. We were first considering the Lands Index and whether this column of the Ordnance Survey denomination should be annexed and you are of opinion that it would be quite useless, and would render the Index unnecessarily large.

576. The next column was proposed to contain both baronies and counties, do you think it would be better to have nothing but the county?—The heading of the page or account will indicate the barony in which the township is.

577. Yes, and the county also?—I think that quite sufficient then.

578. Mr. MANNING.—It would be superfluous in the Lands Index, but we want the entry for the Names Index?—It can do no harm.

579. The object, you understand, is to keep as much as possible of the stereotype without alteration of any column—to keep it constant.

580. The VICE-CHANCELLOR.—Here is a plan that was suggested for the Names Index?—I don't know what you want with so many particulars. These are all in the abstract and as you say in section 39 of your report, why should you encumber the Index unnecessarily.

581. Mr. MANNING.—But the question rather is—whether, having these particulars set up for the abstract book and the Lands Index we may not utilize them for the Names Index?—What I alluded to was your own pronouncement against unnecessarily encumbering the Indexes in your report, p. xxxix., viz. —

"We consider that the covering them of all particulars contained in the abstract would greatly delay the construction of the Index which it is essential to have completed as soon as possible."

582. Mr. MANNING.—But don't you see Mr. Dy, the object is to utilize what we have already to hand and to save the preparation, and setting up in type of another Index?—Oh; these details are harmless, but they are certainly useless.

583. The VICE-CHANCELLOR.—Do you think they are harmless—they would not in any way confuse a searcher?—They would confuse strangers probably.

584. Do you think it would be better to discard printing altogether for the Names Index, and have a manuscript Names Index prepared?—I am not prepared to say that.

585. Is there any practical difficulty in either the construction or the working of the present Names Index?—Not the slightest. The only thing I objected to was that it would be very unwise to make a Prospective Names Index for so long a period as five years and to abolish the Sectional Indexes altogether. These, to a certain extent, have been a very great inconvenience and a very great benefit, but it is the best form of Index that could be devised for a short time. In the Middlesex Registry, on the 31st of December each year, they commence to throw the preceding transactions into Dictionary order, and they have usual dictionary arrangements, and they speak of this practice as a great desideratum. But they have not—so we have—sectional arrangements. They have a

mere alphabetical index for the current year. For instance, Burke, Bicker, Bellingham, and Bivens would all be inserted without any classification under "B" whereas we divide "B" into eight sections. For the current year nothing could be better adapted for a Registry than that sectional arrangement, because it is not inconvenient for "one year," but the moment you pass one year or two years it becomes a perfect nuisance, more especially as regards the large letters and names.

586. And what plan would you propose?—That the sectional arrangement should be kept in it, and that during the current period there should be concurrently kept a Draft Index—which would not be used—so that whenever the 31st December arrived the draft could be copied or printed and would form an Annual Index. Then at the end of every ten years or of every five years these Annual Indexes could be thrown into a Consolidated Dictionary arrangement. By this means you would take, for instance, all the names that had been entered in the five or ten years and put them down on a slip of paper so as to be in dictionary order. Take "A"—Adams, you would see that in '71 there were four entries on it, and in '73 three, and in '75 so many, and you would leave space for these. Passing on to the next name—Andrews, you would find, perhaps, in the period twenty-three acts recorded against him, and you would leave space for them, and so on with all the names. From that slip, having brought the names all into dictionary order and calculated the space required for each, you could at once throw them all into a Consolidated Decennial or Quinquennial Index. The way they do it now is (and they do it admirably, though I think dangerously)—they calculate the entries under each name in the previous corresponding period and proceed accordingly; and while there is usually some difference it is astonishing what agreement our set of years will have with another. I would further propose that to every Index there should be a guide.* For instance Dagnall is spelled in different ways—Bagnall, Bagnal, and so on, and I think there should be prefixing such book a Surname Guide Index, so that a searcher may see that a name he is searching against is spelled in four or five different ways and proceed accordingly.

587. Mr. LANE, Q.C. (Secretary).—Is that something like what you suggest (handed form of Guide Index in "Dill's Yorkshire Registry" p. 39)?—Yes; that is just what I have been speaking of. (See below.)

588. Dr. KENNEDY, Q.C.—And that applies, of course, to a Names Index in any form?—No, in a dictionary arrangement only.

589. Mr. MANNING.—But if we were to proceed upon the system of putting in these additional particulars in the Lands Index, I think I may fairly assume that the books could not be prospected on the present system—it would be necessary to open a separate heading for each name?—There is a separate heading in the Registry arrangements at present, and they are done with the greatest of skill. But what upsets them in their arrangements are the new companies that are arising now—to put them into perfect order baffles every one.

590. Mr. LANE, Q.C. (Secretary).—Have they not done it for the last ten years?—Yes.

591. And have they not succeeded very well in the space they left?—Yes; very well, indeed, considering the difficulties under which they laboured.

Form of GUIDE INDEX mentioned in No. 587.

SURNAMES.	Names written as pronounced nearly alike.	SURNAMES.	Names written as pronounced nearly alike.	SURNAMES.	Names written as pronounced nearly alike.
Aaron, .	Aaron. Aaron. Aron.	Abbay, .	(See Abbay, above.)	Abel, .	(See Abel, above.)
Aaron, .	(See Aaron, above.)	Abbot, .	Abbot. Abbot.	Abbevernia, .	Abbevernia. Abbevernia.
Abbay, .	Abbay. Abbay. Abbay.	Abbot, .	(See Abbot, above.)	Abbevernia, .	(See Abbevernia, above.)
Abbevernia, .	Abbevernia. Abbevernia. Abbevernia.	Abbot, .	(See Abbot, above.)	Abbevernia, .	(See Abbevernia, above.)

* See Reg. p. 125, par. 48, &c.

FEBRUARY 5, 1880.

MR. A. MAGEE DAY further examined.

EVIDENCE.

Feb. 5, 1880.

Mr. A. Magee Day.

592. MR. MAGEE.—Since the last day you were here I had the pleasure of reading your books and contributions on the subject, chiefly to see whether there were any matters in them which you had overlooked when here, upon which we desired information. I observe that so long ago as 1858, in your pamphlet then published, you recommended a system almost identical with that which we have adopted in our report, as far as regards the consolidation of offices, the transfer of the registry of judgments, the adoption of evidence demonstrations, throwing the preparation of the abstract on the public, in fact in all their main features the two systems agree; and then I read those papers which you wrote more recently, and there are several matters in them connected with the practical working and organization of the department that suggest inquiries. In the first place you agree with the conclusion we arrived at, that a sectional index for a long period becomes a troublesome and unworkable document?—Yes, I stated that.

593. And you are of opinion that an index in strict dictionary order is dangerous for unskilled searchers, and you give us an illustration of that, the different spellings of names to be found in different places, which would be puzzling without anything to guide the unskilled searcher. Would you state the expedient you suggest in your paper for getting over that?—That is the Guide Index I spoke of the last day.

594. A complete index of the summaries that have passed into the names index?—I stated it thus in my pamphlet of 1879:—"That a list of the names appearing on the index book, with the number of the page in which the entries under each name are to be found, might advantageously be prefixed."

595. And that would, in your opinion, get over the danger, and render our recommendation workable, would it not?—Perfectly.

596. THE VICE-CHANCELLOR.—How would that operate in the working of it?—Well, the skeleton books that are prepared for indexes much resemble our present books. I was looking at your report only last night, and was struck by that. For the making of these books in quinquennial or decennial periods, the entries from 1850 to the end of 1854, or from 1870 to the end of 1879, are all blocked out, and an estimated space left for them. To that I would add a page to be allocated to a list of the summaries, just exactly as they occur in regular dictionary order, they would be put down in that page, and opposite to each summary would be the page on which it is to be found; so that if you were searching after one of the very extraordinary names that sometimes occur, you would look down that guide index, and see whether it was or was not in the book you were dealing with.

597. That guide index would be something very like the index used for an ordinary merchant's ledger?—Exactly, except that in a merchant's ledger they come according to the transactions, and not in dictionary order; whereas my arrangement would be in strict dictionary order.

598. That is the main index you mean?—No, but also the guide index; it would be in strict dictionary order too, as taken from the books. And there might be, during the current year for instance, a draft index made; but in the plan which I propose I rather object to the draft index being put into the hands of any searcher, much less a public searcher. I think our index should be complete in itself, and every line in it allocated to a certain purpose before any one looks at it. Others, however, are of a different opinion. They have practised for the last few years searching on draft indexes in the office, but those have never been given to the public. There are generally twenty people working there, making their own searches, and they have to wade through these sectional indexes, without

any dictionary aid being given them. The object I would have, therefore, in taking a draft dictionary index from these, is that on the list of January this year I could have a complete record of the transactions from January last. I would copy as print that then for the public, without any speculation whatever; but I certainly would not give the draft index to the public. I would not give it to any one to search, but the gentlemen in the office do use such books. Instead of making your indexes in duplicate, I would have your index for the official searcher, and an annual copy without any blanks or spaces for the public.

599. JUDGE WALSH.—What do you propose to be done between the 1st of January, 1879, and the 1st of January, 1880?—Oh, the Sectional Indexes for the current year or for one year are not an inconvenience.

600. MR. MAGEE.—In your last day's examination you referred to the effects of the proposition made by us of throwing the burden of constructing the abstract upon the public, and you point out that this change would facilitate greatly the preparation of the Day Book out of the Abstract Book. Could you give any idea of the amount of labour—leaving out of view the question of printing for the present, and assuming them to be copied in manuscript—on you give us any estimate of the amount of labour that would be saved in the office by the adoption of that proposal?—If the preparation of the abstract is to be thrown upon the public, and not in any way to identify the office with the responsibility, of course it would very largely facilitate us; but your report directed that the abstracts should be compared as regards the names and parcels, and you left out the comparison as to the nature of the instrument, and other particulars, from which I would gather that the person framing the abstract might frame it exclusively in accordance with the interests of the party he represented, and consequently that the interests of some others might be overlooked and disregarded. In that case I would imagine that it would be a dangerous thing to confine the official comparison merely to the names and parcels.

601. But assuming that our proposition was carried out, and that the abstract was not prepared in the office but outside, and merely compared as to these particulars, could you give any idea of the amount of labour that would be saved—the number of clerks now employed that would be unnecessary that?—Of course the entire labour of preparing the abstracts would be saved. That is two gentlemen's labour.

602. And would not the Day Book be more easily prepared then from these abstracts?—It would be a mere matter of transcription then. The name of all the grantors, and all the grantees if you please, and the column you speak of as containing every county, or city, or corporation town in which the premises are situated are the particulars we have now.

603. You call attention in your remarks to the labour that would be incurred in comparing the deeds with the copies lodged for registration. Assuming again that our proposals would be carried into effect—could you form an estimate of that labour?—I said about sixteen persons—that is eight couples, as they work.

604. On the assumption that about sixty deeds were brought in each day?—Yes.

605. And from your experience of the general average of deeds, you thought it would require sixteen persons for that comparison?—I mentioned it to several persons in the office since and they told me I was considerably under the amount of labour that would be required. In the first place it would be perfectly impossible for any one man to concentrate his attention on verbal comparison for one day. It is quite out of the question. They say, and I know myself that in reading very long deeds I get confused, and if I did not take a note as I went along I would forget all

EVIDENCE.
—
FEB. 5, 1848.
—
Mr A. HUGHES
Dep.

about it before I got to the end. A man having verbal comparison to do only should not be left at it for an entire day or day after day. I would rather that there were thirty-two persons doing half a day's work at that and half a day at something else.

605. VICE-CHANCELLOR.—Believing each other?—Yes, no one could go on with verbal comparison for one entire day, and day after day.

607. Mr. MANDEL.—But you would not require skilled labour for that?—No.

608. You say they work in couples. One of the two would be like the ordinary reader in a printer's office?—Yes.

609. Well, I see also that you have some reference to our proposal as to the Leads Index. Of course this is all on the assumption of the Index being kept in manuscript, and you estimate that additional labour would be involved by the adoption of our system of keeping the Leads Index?—Very largely, for if I re-collect your Leads Index, it was to contain practically the abstract—the date, all the grantors, the first grantees, the nature of the instrument.

610. Not quite so much, but at any rate it would contain more than the present Leads Index, and I think you consider that four additional clerks would be required for that work?—I think so.

611. You say, "Would require in addition to the number of persons already engaged on that duty, I should say four more"—I suppose that labour would be the manual labour of writing in the entry, and the more critical labour or work of comparing it, and finding it to be accurate?—The Leads Indexes are divided into sections and divisions, and it requires the person making that entry to be entirely acquainted with the system. A county is sometimes divided into fourteen or fifteen baronies, and each barony is again divided alphabetically, and there are a number of towns registered apart by themselves, called corporation towns. The public are not at all aware, apparently, that these are taken separately. For instance, now Portlough, we ordinarily get the description "Premises situate in Portlough in the Queen's county." That would not give us an accurate description of them to entitle us to put them down in any other way, and the party making the entry would have to put them in the shortest form, and perhaps not very clearly.

612. I gather both from what you have said and written, that if such a system as was suggested the last day you were here, could be adopted, namely, that of printing from a constant block of stereotype under each heading, the labour of making the comparison would be infinitesimal?—Yes, but you should have some one to direct the printers.

613. The chief office labour, not distinguished from the printing—if this were adopted—would be the providing of some thoroughly competent and skilled person to take care that the particular block of stereotype was struck into its proper place, in the county, barony, township, city or town?—Yes.

614. And the immense manual labour of making the entry and comparison would be removed—it is obvious that after the stereo-block is produced, there would be no interference with it, and therefore there would be no requirement for comparison further?—What would be the entry, then?

615. The entry you were shown on the last occasion?—That entry then would be framed by whom?

616. I wanted to ascertain what might be saved by printing, and you stated that if the Leads Index was altered to our proposed form, from its present form, that there would be considerably greater labour, from the entries that would have to be made and the comparison, and you estimate the additional labour that would be entailed at about four more clerks?—That is supposing it would have to be done in manuscript.

617. Yes, and I wanted then to direct your attention to the proposal, that it should be done by

printing—that is to say that there should be set up in a form of that kind (shown specimen abstract) in a long slip certain particulars which would form the abstract; that the other columns which contained the descriptions should be mechanically removed (which would involve no additional comparison), and that the portions remaining should be struck into the Leads Index under the different headings?—Would not this particular entry be in a heavy book, which book would of course also show the county. In that event the repetition of these particulars in the body of the form would be mere surplusage.

618. But is not what I say correct—apart from the exact form the printed slip takes—that the adoption of printing would reduce the skilled labour in the construction of the Leads Index to this—namely, that there should be a person or persons in charge of the index, thoroughly conversant with it, who would take care that the printed entry was struck exactly under the proper heading and nothing more?—There is something precedent to this coming to the Leads Index. How would this form be prepared? Would you leave that in the hands of printers, or would you have any skilled person in charge?

619. That brings us to another branch of the question. You said that our proposals as to the Leads Index would be an expensive, that it is well to see what could be saved by printing. Assuming that the abstract comes to you in that form, I am correct in stating, that as to the Leads Index, the only skilled labour that would be required in the office—if our suggestions were carried out, and if in addition, printing was adopted—would be that there should be some competent person to see that the entries were printed under the proper headings?—Yes; but how would you know that that was the correct block to print from?

620. VICE-CHANCELLOR.—Assuming for the present that the block of stereotype which is brought up is you, has been found to be accurate, and that you have merely to print it into the Leads Index, and suppose there are ten townlands in that, and it has to be printed into ten different places in the index, would there be any further skill required in doing that, than to see that it was printed into its proper place under each of the ten headings?—No, an ordinary clerk would do it, but I think he would require to be checked by two persons afterwards.

621. Mr. MANDEL.—I see you are impressed by the consideration that there is much skill required in finding out what is the proper entry now?—Yes.

622. But that will be all removed to another department under this proposal, and you can hardly realise such a thing, as that the necessary entry should come out and dry to you?—At present we give them the material in the abstract, and it is something more than manual labour, of course, to prepare these indexes. There are, I think, some 229 baronies.* I cannot speak to the number with accuracy, but out of that multitude of blocks, and the divisions and sub-divisions of them, it requires skill in the gentleman working to select the right one for a particular entry out of them, especially as regards these Corporation towns. If I take the town of Anghar, for instance—many of us would ask is that a Corporation town or not. I think there are 100 or 105 of these Corporation towns entered separately apart from the counties, and that very town of Anghar, in Tyrona, is a very small place.

623. I think, as we are talking about this system of printing, it would be better to explain to you exactly the proposal—it is no difficult for you to keep the old and the new systems distinct. The proposal that we are now discussing, is, that this form of abstract, brought in by the public, should be sent to the printer, and a number of them set in that form (shown page of the Abstract book)?—I see you distinguish those whose execution is proved from those not proved. If you do so, you should put them

separately. Supposing you were searching against the lands of Monkstown, you would have to read down two columns. You would have to read the set of the man whose execution was proved, as well as that of the man whose execution was not proved.—

624. No, we propose that it should only be registered against grantors whose execution had been proved.—Yes. I was alluding the last evening to a deed that would have to be sent to the four quarters of the globe, if, prior to its registration, proof of execution by all the grantors were required. I put my hand on that, and I have a note of it here, if you wish to see it.

625. But I am talking now of our proposed plan!—That is, the Acts of those whose execution is not proved, are not to be returned on the search!

626. No, we only register against the parties whose execution is proved, and we segregate them!—Very well; that would do.

627. The VICE-CHANCELLOR.—This is, in point of fact, a superfluous column for registration purposes.

628. Mr. MADDER.—That abstract or precept is to be brought in by the public, as I have said, and the proposal is, that it should be set up in type, and a stereo-block taken. The first column, giving the date, would, of course, be in blank, to be filled up in your office. The block of stereotype should be in the size of the page of that book, and of that shape, to be printed into the Abstract Book in chronological order, as the abstracts come in. Then, for the purpose of forming the index, the two outer columns are cut off, by mere mechanical means, and you proceed to make your Names and Lands Indexes. You see it is proposed to utilize each abstract forming a strip of the Abstract Book, for the indexes. Different considerations are applicable to each of these indexes, and we are now considering the Lands Index. It is proposed that the stereotype should be struck in under the proper heading of that book, and what was passing in your mind, as to the propriety of the entry, arose from mixing up the present system with the new one. You will have the entry there constant, and it would be struck into its proper place under the townland heading, in the Lands Index. Now, what I was asking you was—if this system were adopted, would your estimate, about the additional number of clerks being required, hold good?—Not at all.

629. In fact the labour would be minimised, for at present you have to construct that entry. Your abstract then has to be compared and the proper entries put into the indexes!—I was looking over my own papers last night, and I found that I have the same abstract that you suggest, with the exception, that at the head of mine I have the parties, names set out. At one time we were very anxious to have legislation here, and I prepared the outline of the bill, and this is part of that. There was one proposal that the memorial was continued and another that the deed should come in, as you propose, with an abstract; and this is the form of the abstract I had suggested. You will see how very similar it is to yours (see form *infra*, p. 129.) I intended to have one set of indexes according to the Ordnance Survey, and another set according to the ordinary town names as at present. By that means I thought it would gradually come that the people would get accustomed after five or ten years with the Ordnance Survey names, and that we would be able to drop the ordinary townland names altogether; but I am afraid a change from the general names to the Ordnance Survey names, made suddenly, would meet with great opposition, and that it would be, to say the least of it, a very great risk.

630. I see that in your letter you recommended that for the first quinquennial period the two systems should be tried concurrently, and that the Lands Index

should be kept in duplicate, but not in duplicate exactly corresponding, that the old system should be run along with the new one!—Yes.

631. There are also some other suggestions as to the abstracts. You say that from 1800 to 1828 there is a series of dormant abstracts, which have been written out and entered!—Not only written out, but most skillfully prepared.

632. But which have never been compared!—Never been compared.

633. So that they are practically useless!—Yes—that labour that took such a time—for I think there are 225,000 deeds all abstracted, and done by men that would be incapable of doing anything, except with their very best—they were skillful men that I know. These abstracts were taken about the year 1834, and they are all made out and bound in books, and, in fact, there is nothing required to be done but to check them.

634. And that would be a comparatively small portion of the labour!—The checking is very laborious. It is the work I am at present engaged upon, but if you would relieve me and my coadjutor, Mr. Legue, of the revision of the abstracts, we could then take up that work, and we would go through it backwards, commencing at 1828, then taking 1837 and so on, so as to bring the series into connexion with that already existing. Some people think that we are getting away from that period—that there is little good of a record of the kind for more than 30 years; but it is a pity to see so much skilled, well done labour lying dormant.

635. The VICE-CHANCELLOR.—Are you able to form any estimate as to the number of persons, and the time it would take to check these!—If you give me leave, when I have the exact number before me, I could tell you, but I think I mentioned it in my paper, however.

636. Mr. MADDER.—You say that the abstracts were not compared from 1820 to 1828, but the number of them you have not stated!—I think it is 225,000. It is mentioned in Mr. Lane's report I know.

637. Judge WALSH.—You have, I understand, 731 volumes uncompleted!—Yes; but they are all small volumes.

638. Mr. LANE, Q.C. (Secretary).—There are about 900 books unless for want of comparison!—There is not a more valuable repository of interest, I venture to say, than that which is now lying dormant there.

639. Mr. MADDER.—If our suggestion of throwing the preparation of the abstract upon the public were adopted, the skilled labour now required in that department could be utilized on that work!—I could give you an approximation of what would be required. I compare about forty deeds a day, and Mr. Legue about twenty—he has other duties—that is sixty. In former years we had about 5,000 or 6,000 deeds a year, so that we might do three years—certainly two years—in every one year. There is a paper here—one of the portions of the series in which all that is mentioned.* It is not by me, so that I may the more readily refer to it. It was a gentleman named Ray made the report and I think he says that to pull up all our archives would take one man for 300 years. I think what I told you would be sufficiently near for your purpose. We can do either two or three years—certainly two years in every one year.

640. The VICE-CHANCELLOR.—I suppose there are other gentlemen who could take it up!—Yes. The gentlemen who now prepare the abstracts. There are two clerks entering the abstracts and two revising and each revisor has an assistant or a person to read to him. All these are skilled men and by your proposal to do this work by printing and by

EVIDENCE.

Vol. A, 1846.

Mr. A. Stages
Dep.

665. What is your opinion upon that, Mr. Day?—That the county is quite enough; but the rest, of course, would be more or less useful. Again, however, I would say it must be somewhat tedious to go through all that.

666. Do you think it would be an advantage in the Names Index that you should see not only the name of the party against whom in that particular place the act is registered, but the names of the other parties joined with him in the same instrument?—Is it, for instance, that in the name of Malone you would see the names of others?

667. Yes—there (in specimen Names Index) is a case of five grantors. Would there be any advantage in finding in the particular act that was dated on the 31st July, 1879, as appearing here, that there were four other persons, whose names were given, coupled with him as grantors?—If it were not at all, the searcher would refer to the abstract where he would get that information. It is burdensome, to be sure, but at the same time it would embarrass; the more you introduce into a mere index the more a searcher is perplexed.

668. But do you think there is any advantage to be gained by it?—Not the least.

669. In this specimen form there is also the general nature of the instrument?—I would not have it.

670. Do your objections with respect to the Land Index equally apply to this?—Certainly.

671. Then we come to the county and barony column, and you think that it is unnecessary to insert the barony?—I do.

672. But won't it, to a certain extent, diminish the amount of searching if they find that this particular act does not relate to the barony against which the search is directed?—Yes, but in a large deed, you have no idea of the number of baronies that may be comprised. You will throw an enormous responsibility on the public and a greater liability to err than you have any idea of, by introducing that. In the first place, the baronies are changing, continually varying in their names, and in the Ordnance Survey too; even the townlands are varying as to situation.

673. But supposing they remained constant without any change?—Even if they do; don't you see that you make it a more severe abstract to prepare.

674. But though it is a more severe abstract to prepare, doesn't it relieve the office a great deal?—I don't think it will relieve the office in a degree corresponding with the additional labour you put on the public.

675. Mr. MAYR-DAY.—But are not you now rather comparing it with the existing system than the proposed system, because assuming that you have to put the Ordnance Survey denominations of townlands, into the abstract, you require no additional labour to ascertain the baronies?—You will place alone one of the memorial, or abstract, all the townlands and all their baronies according to the Ordnance Survey, and here in another column the different baronies in each county, and the different parishes in each city; but supposing they don't agree, who is to compare them?

676. I would wish to explain that for a moment. The last column gives the names of the parishes as in the deed?—Yes, but another gives the Ordnance Survey denominations.

677. But the last column may have no barony or county stated, and the public can never arrive at the Ordnance Survey denominations accurately, without arriving at the baronies, because they must discover all from a common source?—Suppose the last column giving the parishes describes the lands as situate in the barony of Castlewellan and Drumahaire, and that the barony column gives the barony as Drumahaire only, who is to be responsible for the necessary alteration?—The barony column will rub the entry on the Names Index, and anything omitted in that column won't be found in the Names Index, though it may be in the column for Ordnance Survey denominations.

678. That is a very important practical question, whether the officer receiving this should not make the

comparison; if it is a mere mechanical operation, a mere comparison of the Ordnance Survey column with the county and barony column?—If you throw these additional things on the office you won't lessen the labour one iota. You must either leave the office free, having nothing to do with it, or put it upon it, to say it is a correct or an incorrect abstract. I may mention that I read with surprise a statement made here that the officials couldn't prepare an abstract from the deed itself. Of the two I would prefer to prepare or compare the abstract from the deed than from a memorial, because if there were obscure expressions in the memorial (it being a secondary instrument) the deed itself might be perfectly clear. I think the office could prepare the abstract more accurately from the deed than from the memorial.

679. At all events you would suggest that in this column we should merely have the county?—As now, the county, city, and corporation town.

680. On the ground that there would be less danger of error?—Yes.

681. And that the danger of going wrong would be greater injury than the benefit from narrowing the search?—Yes.

682. THE VICE-CHANCELLOR.—Now does anything further occur to you?—I put a few notes on a sheet of paper; it won't occupy you for any great length of time if you allow me to read them.

683. Certainly; anything you have to suggest?—These are suggestions which I did not make in my pamphlet:—"That the Registration of Deeds should cease at 9 o'clock each day as it does in Middlesex." They told me in Middlesex that the advantage that gave them was that they could make out a slip of all the grantors during the day and have it ready for the public, during the remaining hour—so that transactions could be closed at once.

684. What hour does the Registry at Middlesex open?—At 10 o'clock.

685. JUDGE WALSH.—Or 9 o'clock. Most offices do open at nine in England?—No, I think it is at 10 o'clock. I was there at that hour one morning, and they had just opened, as well as I remember.

686. THE VICE-CHANCELLOR.—Are their hours the same as at Henrietta-street?—Their hours are from 1 to 3 p.m. searching, 11 to 3 for registering.

687. And yours are from 10 to 4?—Yes. I would propose also, "That all deeds registered on the same day should be of equal priority." That is a large question I suppose, but you will find that it would very greatly facilitate your transactions. "The remaining two hours would enable persons to ascertain with certainty the nature of the day's proceedings, and enable transactions to be closed with safety when deed registered on that day." They sometimes register the deed before paying over the consideration money, and by this means they could ascertain the fact of registry and pay over the money at once. Also, "That if the memorial be confused it should be compared with the deed after it has been registered, and rejected if found discrepant; the cause of rejection should be noted in a book and the deed then returned to the party for amendment, as was the former practice," which by the way I can find no warrant for altering. Mr. LAKE, in his report, stated the old practice correctly. A deed was brought in for registration, was provisionally numbered according to its receipt, and was subsequently compared with the memorial; or rather the memorial compared against the deed, and if any error was detected, the instrument was entered in a book for "Referred Deeds," which would indicate the character of the mistake shortly, and show that the deed had been in the office and returned for error. That was, in a way, a sort of record, and when the deed would come back again, the Registrar, or clerk, would not only see that the error, so noted, had been set right, but that there had been the proper acknowledgment to give the person who had made the alteration authority for doing it. Now, there is nothing like that. I saw in the report of the committee, appointed by the Treasury, in 1874, that they objected

EVIDENCE.

Feb. 5, 1882.

Mr. A. Hogg
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to the deeds when compared in the office being handed back to the persons tendering them, as they might alter or tamper with them.

688. JUDGE WALTON.—Or the party may alter the deed himself—the person tendering it?—I look upon that as very injurious. Mr. Lane has stated that when he examined into the office this “Returned Deeds” book was in existence, and that there was an entry made in that book as to the deed having been received and returned giving the names of the parties to identify it, the date, and why it was rejected. According to the present system a man comes up at two o’clock and he finds some twenty or thirty people there, all equally anxious to have their deeds compared and all waiting to be served in turn, whereas, in former times, you had only to hand the document to the Registrar and after he examined it as to the Stamp Duty, the registry was over—completed in a few minutes. There was no such thing then as the crowds you see now.

689. THE VICE-CHANCELLOR.—What was the process of ascertaining the correctness of the memorial?—The deed was handed in to the Registrar and he took it, assuming it was correct, and put the provisional number on it. It was then handed to a person to compare, and instead of doing that beside the public the clerks could do so in their own room, where there would be leisure and no noise. If they found that the memorial was discrepant a clerk put his observations on it and entered in the “Returned Deeds” book—describing it as, say marriage settlement of so-and-so, dated so-and-so.

690. Identifying it?—Yes; and then there would be a letter written to the gentleman who left the deed for registration telling him that it had been withdrawn, thereby certainly inconveniencing him, but not more so than under the present system, for now, when an error is detected, he must also take away the deed for correction.

691. In that case he lost the priority of that day’s registration?—Yes.

692. And say that the deed comes back next day and on comparison the memorial is found to be correct, it was on the second day that the priority was ascertained?—Yes; and that is so now.

693. No, now the comparison is on the spot?—Yes.

694. And if the memorial is incorrect it is handed back at once?—That can be obtained by any person who wishes to wait for the comparison of his deed doing so.

695. Very well—proceed, if you have anything further to suggest?—The present practice unnecessarily delays those who bring carefully prepared documents, sometimes for an hour or more without any advantage over those that are careless, who necessarily must lose the day, unless they waited until they heard if their deed was passed, which would then be optional, not compulsory, as at present. There are some offices from which deeds might almost be taken with a thorough confidence as to accuracy, they are so carefully prepared and the memorials so carefully framed and corrected.

696. Have you anything else in your notes?—The only other thing I noted is as to the vicarious responsibility supposed to exist in the Registrar, and I may instead of that there should be an indemnity fund established. We have already put by over £40,000 as surplus fees—we have drawn against that something, but there is quite sufficient to allocate a certain sum and say let that be a guarantee for the public. Since the time the office was created in 1708 to the present no one has suffered any loss, and the responsibility supposed to exist in the Registrar, which I don’t think in reality does exist, has been a great disadvantage, and it may become an impediment to improvement.

697. They are afraid of changes?—Yes, and you cannot make them if you were ever so well disposed.

I don’t think that any such responsibility existed since the passing of the 2nd and 3rd William IV., because—though they put it into the Act in an approved form by taking out the “wilful neglect”—the giving of the funds that formerly went to the Registrar, to the Consolidated Fund cut the foundation from the prevailing fabric of responsibility. You cannot be made responsible for any man who is not your servant, and your servant is a person paid by you with your money, you having profit in his labour. That state of things did exist originally, when the office was a Patent Office and when every officer was either the Registrar’s deputy or his clerk, and the salaries were earned by the office were his profit. Prior to the 2nd and 3rd William IV. the responsibility only attached in the case of fraud, collusion, or wilful neglect, and some one at the time that Act was in Committee in the House of Commons said those words did not give the public a sufficient guarantee, so the word “wilful” was taken out; and supposing now that a person did make a mistake—would it be reasonable that a gentleman who did not appoint him, and who lost to profit in him—should be held responsible for the mistake? I don’t think he could in a Court of Law, but that, of course, is a moot question.

698. Complaints have been made of the want of sufficient accommodation in the office?—It is dreadful, not only for persons in the office, but for the public outside; it is most unsuitable.

699. What are the principal inconveniences?—First I take the room into which they come with their deeds for registration?—Well, there is a very confined space, where I have often seen, since the practice of comparison was altered, crowds of people of all ages and genders, and gentlemen who did not exactly like their associates, would be all together, packed closely, waiting their turn. They have no accommodation. There is nothing but a form, and they must either stand, or sit down with whom is there.

700. You say you have seen that place packed closely with people?—Quite so—packed closely with people.

701. Is it properly warmed?—Only by three hot water pipes which are going through the place and giving no all headroom.

702. Is there proper ventilation in that place?—Well there are two windows, and you can have ventilation, but it will be at the expense of giving people cold.

703. Now I take you to the public searching room?—In it there is not the slightest modification of the word unsuitable. People there are engaged on work of the most vital importance to them. I have alluded to a fact not confined to country men, that is, that people won’t let any one know what they are doing—they won’t send to registrars for searches, and they do the work themselves, standing there in a cold room, not even heated, and it is only lately they even had gas.

704. Isn’t there great danger of inaccuracy in searches when made in such a room?—Yes, the heat and noise are confusing. If you go into the adjoining office—the Probate Office, you have plenty of room, though only a few people, comparatively speaking go there.

705. As to the Clerks’ rooms, what do you say about them?—Well some of them are very, very unwholesome and injurious. I am sitting in a fine large open room, but it is full of draughts, and sometimes there is no heat in it, while at other times there is too much.

706. Is the whole building heated with hot water pipes?—Yes, excepting two rooms below stairs where the Registrar sits; we had fires, up stairs, but some years ago a fire broke out, and though it might be wholly unconnected with the Registry proper, there was such a panic that the open fires were all done away with, and hot water pipes substituted.

787. In the official searching room is there sufficient accommodation?—No, not for persons doing such work. It is a badly got up place altogether, and there are splendid rooms in the adjoining buildings. I see that Mr. Dwyer, the Registrar, has referred to rooms belonging to the Probate Court, which he thinks could be easily allocated to registry of deeds, but of course they would require accommodation elsewhere.

788. As to the system of heating with hot water; do the clerks complain of that?—I hear many complaints of it, and I know I complain of it very much. I go in sometimes of a desperately cold morning, and the heating has only commenced; putting your hand on the pipes you feel them almost cold.

789. But isn't that from the neglect of the servants?—No—it is difficult to heat such a large amount of pipe. It is much higher than this house, and the stove is underground.

790. Mr. LANE, Q.C. (Secretary).—For a place that should suppose they should light the fire the night before!—That would be dangerous; we often hear the rush of air in the pipes, and there should be some one to attend to them.

791. The Vice-Chancellor.—When you went there first was the building heated by open fires?—Yes; excepting the upper searching office.

792. The main building was heated by open fire places?—The first time I went there I was brought down stairs to the vaults, where I saw persons writing by the light of tallow candles, even in the middle of the day.

793. Was that in the transcribing room?—Yes, it was then in the lever tier, or vaults.

794. Is there anything more about the accommodation that you have to mention?—Not as to the accommodation.

795. Is there any regular system of vacations in the office?—I have no complaint to make at all about that. The gentlemen are entitled by a Treasury minute to six weeks' vacation, that is thirty-six days, as the maximum. The Registrar has the power of giving on thirty-six days a year, but we don't as a rule get that. That however is the extent of his power.

796. And that is as much as could be conveniently given in an office of that kind?—I think so, but I never felt the least inconvenience about leave to go out when I reasonably required it, or about my vacation.

797. Do you think it would work well in that office if it was to close at one or two o'clock on Saturdays?—Certainly.

798. And do you think it would be productive of public inconvenience?—I don't think it would. The books close at one o'clock on Saturday, and that too must be a public inconvenience I suppose.

799. Would it be a great boon to the clerks?—It would, especially in winter time. Some of us have no gas, and in November, December, and January, the sun has set long before the office closes.

800. When you recommended the closing of the office to the public at two o'clock, ordinarily that would not relieve the clerks?—Not the least; nor would I close the office against the public either. I would only close the portion for the registration of deeds, and they could still get out searches or make searches in the office. But by confining the registration of deeds to that period we could at half-past two have things as ordered that any man could see the deeds registered that day, and being satisfied that his was all right as to priority and safety could forthwith conclude his transaction.

801. Judge WALSH.—You would not receive any deed after two o'clock?—No; the legal registration would cease at two o'clock just as it does now at four. Now, people who have been searching below stairs come up about three or four o'clock to see the deeds or the books in which they are entered for the day.

802. Continuing their search in fact?—Yes, and they have to continue their search into the Registrar's hands, and even then, unless they remain until four o'clock they cannot be certain.

803. Mr. LANE, Q.C. (Secretary).—I saw that the other day. The chief clerk when going along one of the passages, with several documents in his hand, was stopped by seven or eight people to see what they were.

804. Mr. Day.—By my proposal all that would be avoided, because if the Registry closed at two o'clock you could have the slip at half-past two or three o'clock showing the transactions laid on the desk for them.

805. The Vice-Chancellor.—And if printing were adopted you could have them ready next morning?—The Day Book is ready now next morning.

806. Under the old practice, i.e., before comparing the deed and memorial prior to registration—was it only necessary for a person to land in his deed and memorial to the Registrar and go away?—Yes, except for the examination of the stamp. And then you could have half a dozen received from as many persons at the one time. You recommended that there should be no more swearing of affidavits in the office, then there is nothing to be done there except to land in the instrument for registration, and why should a man be delayed a couple of hours about that?

807. But under the present system there can be only one person to receive the deeds?—Yes.

808. That is necessary so long as there is priority between the different hours of the day?—Yes.

809. You could not adopt the system of allowing more officers to receive deeds for registration unless all deeds landed in on the one day were of equal priority?—That is what I suggested.

810. Mr. FREDERICK.—Was not the old system altered because the public and the profession complained of getting a deed back after the lapse of two or three days after the deed was tendered for registration, and receiving a note "your deed has not been registered in consequence of mistake, and now lies at the office for you"?—That could be avoided by persons waiting to ascertain whether their deeds were right, which would not detain other people who are satisfied on that point and don't want to wait. Under the present system when a long deal stops the way nothing else can go forward until it is disposed.

811. I understand that the alteration was made in consequence of the awkwardness of a party after having paid the purchase-money receiving back his deed from the Registrar for some defect or other?—There would be no difficulty about that, unless people pay their money before registration. If the Registry is closed at 2 o'clock the advantage will be that any person at half-past two can ascertain, first, whether his deed is registered, and secondly, whether any other deed has been registered during that day which would interfere with his. Under the old system even if it must have been the fault of the party himself if his deed lay in the office two or three days. The comparison was usually done before the office closed, and in the event of error being discovered there was a letter posted immediately to the address of the person who left the deed.

812. Was it always the practice, to compare them on the same day?—I never saw it otherwise. There might be a large influx of deeds—for instance, I remember one time when the stamp duty was changed in 1842, it was so, and the work could not be kept in hand. Then the stamp duty was assimilated to that of England, and we had over 140 deeds registered on one day. There was necessarily a delay then, and it would have been impossible of accomplishment under the present system. If 140 deeds come in on one day now, a large proportion of them should be postponed. What brought them in on one day was that all registered on or before the 10th of October (I think it was) were subject to the old duty, and the office was much crowded in consequence on the 9th and 10th.

EVIDENCE.
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Feb. 6, 1890.
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R. A. Mape
Esq.

EVIDENCE.

Feb. 3, 1880.

Mr. Jeremiah
Leyra.

9TH FEBRUARY, 1880.

Mr. JEREMIAH LEYRA, examined.

733. The VICE-CHANCELLOR.—What department are you in, in the Registry of Deeds Office?—In the registering or recording department.

734. You are one of the gentlemen selected by the clerks in that department, to come before us?—Yes.

735. How long have you been in the office?—Thirty-one years, last November.

736. You are a first class clerk?—I am.

737. Have the goodness to state anything you have to lay before us?—Shall I be allowed to enter into questions of classification and organization and salaries?

738. We are not sure that the question of salaries is within the scope of our warrant, but as to the questions of classification and organization, we shall be very glad to hear you?—I think everything that I could say is embodied in this statement (*infra*, p. 119)—a copy of which was addressed to your secretary.

739. In the classification of clerks, what do you propose?—There are some of the junior clerks here, who, I think, would be able to give you better information upon that.

740. Dr. BAINTON, Q.C.—In your written statement you propose that there should be only two classes?—Yes, I believe that is the general feeling among the clerks.

741. The VICE-CHANCELLOR.—You have a staff of sixty-one clerks at present—how would you divide them?—Well, suppose there were forty and twenty-one.

742. To which class would you give forty, and to which the twenty-one?—I would say forty second class clerks, and twenty-one first class. I don't know whether that would meet the views of my brother officers or not. I only make the suggestion.

743. We are asking your opinion. Are you prepared to make any statement as to what you think ought to be the salaries of these classes?—I would say that the salary of the first class ought to go to a maximum of £300.

744. And where would you begin—at £315, as at present?—Say at £400, with an increment of £15 a year for eight years, and £20 a year after.

745. In the second class, what would you say they ought to begin at?—The second class, I would say, should begin at £100, and go to £375, as it is in the Postmaster-General's office.

746. And what increment would you propose in the second class?—The same as that in other offices—£10 for eight years, and after eight years, £15. We found our difficulties in respect of classification and salary upon the character of the office and the nature of our duties. The office is a legal office concerned with the sale and transfer of land, a function of the greatest gravity and magnitude. Our duties are not of the ordinary routine official type, but of a nature necessitating for their due discharge exceptional technical knowledge and skill.

747. What particular part of the registration business are you engaged upon, do you say?—First a comparison of the Day-sheet against the original memoranda. My first duty is connected with the comparison of the Day-sheets, and when there are none to be compared, I take up the comparison of abstracts.

748. Who prepares the Day-sheet?—At present a second-class clerk.

749. And when that is prepared?—I check it against the memoranda and the deeds.

750. And what other business are you engaged on if that falls short?—Supposing there are no

Day-sheets to be sent in to me, I take up the comparison of abstracts against the original memoranda.

751. That is the business that Mr. Day is employed upon?—Yes.

752. And that requires great accuracy and skill. Is that it is the basis of all the registry?—Yes, the Day-book and the abstracts form the basis of all. The so-called comparison would serve properly to called business.

753. Did you ever consider whether it would be possible to arrange the business into classes, corresponding, to some extent, with the classification of the clerks—so that the higher class of business would be always performed by the clerks of the higher grade—would that be possible in the Registry of Deeds Office?—It would be extremely difficult—the business is so various, and you have so often to take a man from one branch to another, that you might not have enough of men in the first class to supply the vacant places.

754. And how are the selections made for the different parts of business to be done?—By the chief clerk, I believe, in consultation with the Registrar.

755. He is a kind of head over the clerks?—Yes, he has the entire supervision of the performance of the business.

756. Now, as to the vacations, what is the present vacation nominally allowed?—Six weeks.

757. That would be an adequate vacation, if you could get it?—Yes, if we could get it regularly. It is what is enjoyed by every public department.

758. And I suppose it is from the vacancies not having been properly filled, that you have been disappointed in your vacations?—Of course.

759. And if the staff were up to its full complement, there would be no difficulty in arranging the vacations?—I could not undertake to say that. The business is increasing every day. When I came say to-day, for instance, they were registering their 12th deed. That was at a quarter to three.

760. But supposing that the number of hands in the employment is adequate for the discharge of the business, then there would be no difficulty in arranging that each clerk should have his proper vacation?—Well, I should say so.

761. And what holidays do you think you should have?—I don't know what the statutory holidays given in other departments are, but I think we should have the holidays given to clerks in the best Government departments.

762. Would the clerks consider that a Saturday half-holiday would be a great boon to them?—I think they would, and naturally.

763. At what hour do you think the office could close on Saturday without inconvenience to the public?—I would not venture to say. That would be a question for the head of the department.

764. Have you ever been employed in the searching room?—Yes, for several years. I have been employed in every department.

765. In the accommodation for clerks in the official searching room adequate?—From every point of view, nothing could be worse. We complained of it in 1860, I think, and we induced Sir Dominic Corrigan to come up and visit the office. He made a report which was forwarded to the Treasury at the time. He condemned the place, and not without cause. From my own knowledge, there have died of pulmonary complaints at least five or six gentlemen, of apoplexy two, and one had disease of the

heart, and Sir Dominic Corrigan told him it was the state of the office that produced it.

766. Is that from want of ventilation alone?—From that and want of room. There are sometimes twenty or twenty-four men there, and a lot of parchment in the room, which alone Sir Dominic Corrigan says is injurious to health. Sir Dominic Corrigan's report was sent to the Treasury, who remedied matters by sending up a gentleman who had patented a new ventilator. They were a complete failure. Many of the gentlemen employed there complain of tendency of blood to the head, owing, I believe, to the state of the place, which has also the effect of weakening the voice.

767. And are the feet cold?—Yes, as ice.

768. Were you in the department before the hot-water pipes were introduced?—They were in the lower part of the house, before I came, but not upstairs.

769. And do you attribute ill-health to that?—Oh, to various causes—want of ventilation, and other things.

770. Does Sir Dominic Corrigan's report go into the causes of this unhealthiness?—Yes. Mr. Taylor, who is here to be examined, I believe, has that report, and can lay it before you.

771. What is your opinion as to the accommodation of the public in the searching office?—Nothing could be worse. It is a disgraceful thing that gentlemen should be penned up as they are in a crowded room with a noxious atmosphere.

772. Must there not be great difficulty in getting through their business, securely, there without having proper room?—Certainly.

773. Is there sufficient room for the indexes in the library, as it has been called?—There are no indexes in the library. There is sufficient room in the building, but not sufficient to put the indexes conveniently for use. We are obliged to put them at the top of high rooms.

774. And are the searchers obliged to go up, and bring them down, when they have to be referred to?—Yes.

775. Have they no person—no labourer employed for that purpose?—No. A man has to go up a ladder to the height of eight or ten feet from the ground, to bring down with him sometimes a book weighing over two stone.

776. And are there not some searchers who are advanced in age?—Not at present, but it has contributed to injure the chests of the more delicate men.

777. Mr. MANNING.—On what principle is the recommendation made for the promotion of a clerk from the third to the second, or from the second to the first class. The reason I ask the question is, because on looking at this paper I see that seven men of the second class and ten men of the third class have been appointed over the heads of the first in seniority in their respective classes—judging by their first appointment dates—could you state the principle?—I could not.

778. Is it seniority?—No, I should say not.

779. Is there no fixed principle?—I believe not.

780. The two things appear to be totally distinct—the appointments to the classes, which regulate the salary, and the selections for the discharge of specific duties?—Yes.

781. Mr. MANNING.—In whom is the patronage?—Do you mean the recommendation for promotion from class to class?

782. Yes?—The Registrar of course.

783. And who fills the vacancies?—The Treasury.

784. On the recommendation of the Registrar?—No, in the ordinary way, from competitive examinations. Up to the latter part of his tenure of office Mr. Morgan O'Connell, the former Registrar, had the patronage.

785. Mr. MANNING.—By patronage you mean appointing to vacancies in the third class?—Yes.

786. Original appointments?—Yes.

787. Dr. RIMINGTON, Q.C.—Are all original appointments made in the third class?—Yes.

788. They must be?—Yes; and then they rise by promotion, according to the Registrar's recommendation, to the second and first class.

789. The Vice-Chancellor.—On the Registrar's recommendation, the promotion takes place from the third to the second, and from the second to the first class?—Yes.

790. Mr. MANNING.—That was my question. I wanted to know on whose recommendation a gentleman who has served a less time than another was promoted from the third into the second class—is it on the Registrar's recommendation?—Of course, and what the clerks desire is, that these promotions should be in the regular order of seniority, taking into account efficient service and good conduct, and above all, that they should have the right to promotion not only to the chief clerkship, but also to the assistant clerkships.

791. The Vice-Chancellor.—How is Mr. Fitzgerald's office filled?—Is that from a first clerkship?—Yes.

792. He is the accountant?—Assistant-chief clerk and accountant.

793. And he is appointed from a clerkship?—Yes.

794. That is not an original appointment?—No. He does not come in from outside, but we claim that the promotion to the assistant clerkships should be one of right. It is not fair, we say to the staff, that when a man has served diligently for thirty or thirty-five years, he should stop at the grade of chief clerk, and that a person should be brought in and put over his head—a gentleman who, to say the least of it, cannot be as fitful for the office as one who has been in it many years, and who is thoroughly acquainted with all its departments and all its workings.

795. Mr. ALSTON.—It might so happen, that a man might spend all his life in the third class and never be raised at all?—A man might spend the best part of his life in the third class now.

796. Mr. MANNING.—And that is so although promotion to the second and first classes has nothing to do with special skill displayed?—Yes.

797. The Vice-Chancellor.—Are you able to form a judgment whether the class of clerks brought into the office on the competition system are equal or superior to the class brought in on the examination system. Have you marked any difference?—I could not say there is any difference; I should say not.

798. Mr. MANNING.—As I understand this classification of first, second, and third class clerks, it has only to do with salary and nothing more—it has nothing to do with duty at all?—Nothing at all, for in my own business a third class clerk has been brought in to do my duty during my absence to-day.

799. The Vice-Chancellor.—Does anything else occur to you?—Not in that connection, sir.

800. In any connexion, we would be glad to get the benefit of your experience?—Having read your report, of course many things have suggested themselves to me with regard to the indexes of Names and Lands, and so on.

801. Are you prepared to make any suggestion about them now?—I don't think we are in a condition to go now into any objections to the report made, but as to the working it out or giving any practical effect to it we would be glad to get your opinion?—With respect to the proposed abstract, the form of which has been indicated in the report—

802. There is a specimen form of the abstract as we propose it (supra, p. 6) 1.—Well, with the exception of the fourth column, which is "Gentlemen whose execution is not proved," and the column giving the names of the townlands of the Ordinance Survey, this appears to be exactly the same as Colonel Leech's abstract, and I don't know if you are aware that in the year 1864 that was brought forward; and Mr.

EVANS.

Feb. 5, 1868

Mr. Mansfield

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EVIDENCE.

Feb. 3 1898.

Mr. JENNINGS
Leyes.

O'Connell, the then Registrar, instituted a test between it and the then and present system of searching. He brought in a number of searches, and they made a given search upon each system, and the superiority of the old system was immediately apparent.

803. Would you describe now what was the difference between the two systems as to the two sets of books on which the searches were made?—Each set of searches got a copy of the same search. It was a search on names—

804. But on what principle was that prepared?—On an ordinary requisition.

805. I apprehend that one search was made according to the existing system of books in the office?—Yes.

806. And the other upon what?—Upon the office abstracts and this (Colonel Leech's) abstract, and there was no comparison at all when the search was concluded.

807. In what way?—In point of expedition, in accuracy, in all.

808. Which was the most expeditious?—The old system, and the records of that trial are in the office, I fancy, and can be had now, because it was a solemn trial. This (Colonel Leech's) abstract was brought up prepared, and three or four clerks were engaged and, I suppose, were one or two hours at the searches. Then the returns were handed in. If I mistake not, I was on that search myself.

809. Am I to understand by this that the search on what you call Colonel Leech's system was made upon the actual abstracts themselves—not upon the indexes but the abstracts?—We first made it on the Names Index, taking down the references in the usual way, and then we made the search upon the abstract as we do now.

810. Did you make the search from the abstracts contained on Colonel Leech's system on the one hand, and from the office books on the other?—Yes.

811. Mr. MARSH.—Then it was only a contest between the two abstracts?—Yes. There were no indexes to Colonel Leech's abstract.

812. The VICE-CHANCELLOR.—But does that difficulty apply, do you think, to the abstract before you?—Yes.

813. What is the difference between the proposed Abstract Book and your old abstract?—There is this fourth column—"grantee whose execution is not proved"—and the seventh column giving the barony and county in its different form.

814. It gives the baronies in addition to the counties?—It does.

815. Do you think that is an advantage or otherwise?—I don't see the use of it, for you leave it afterwards in the same document.

816. Mr. MARSH.—And as to the fourth column, it was not proposed that the abstracts should be indexed from that column at all—they should be only indexed against the names of grantees whose execution was proved?—What do you mean to do with silent parties. That is the great objection and difficulty. I will give you an instance. There are three parties in a lease, A B and C, A making a lease to C—you will find in the memorial that A granted to C the said lands, and there is no mention of B; but on turning to the instrument we find that B is a mortgagee, and we make him a party—and a very necessary party, I think. That is why we index the silent parties, the object of the reference to the deed being that no party not acting on the lands shall be indexed as a grantor affecting them, and no party as a grantee who is not a grantee of them. The solicitors frequently say to us—"why do you put so and so on the registry—his name does not appear on the memorial?" We say, "you will find he is in the deed in such or such a character, and they are much obliged to us."

817. The VICE-CHANCELLOR.—Our proposal is to throw all the responsibility on the party bringing in the deed?—They will never do it as well as we do it in the office.

818. Mr. MARSH.—We mean by grantees all who

are not grantees. That would take in all the silent parties that you speak of?—That renders it not so open to objection.

819. This (proceeds) is the document on which that search you spoke of was made?—Yes.

820. You will see that that search was made upon an index arranged like a chess-board?—Yes.

821. So that it was a trial of the indexes—of a consolidated index against that thing which could hardly be called an index at all—a sort of chess-board arrangement?—Yes.

822. So it affords no test whatever?—It was so long ago that I only spoke from recollection—but the two things, Colonel Leech's plan and the present system were tried, and my recollection is that Colonel Leech's was found to be inferior.

823. But you were wrong in saying that the indexes were the same, and that you made the trial on the abstracts?—Apparently so. What I meant was that the search was made by means of references from the Office Index of Names upon the Office Abstract Book, and Colonel Leech's abstract.

824. The VICE-CHANCELLOR.—Colonel Leech's plan was, that the indexes and the abstract should be combined, and that was the plan on which one of the sets of searches should be made—the other being on the office principle of using the indexes first, and when you found certain entries affecting the lands there, then you go to the abstract; whereas in Colonel Leech's plan you would have to go all through the abstract?—Yes; but let us treat Colonel Leech's as an abstract—and this before me—they are almost identical.

825. But we don't propose to search upon that abstract at all?—No; you propose to search upon an index such as ours—a Names Index.

826. This is what we propose to do as to the Lands Index (shown specimen Lands Index). You see there the lands of Glasgow. Now, in the index under every townland mentioned in that, this note would appear. It would be entered in the same chronological order. You have here, you see, under Glasgow, all the acts during any series of years that your books would hold—all the acts affecting that townland, and the names of every grantor and our grantees?—Yes; and in addition to our information you have the consideration.

827. Not necessarily. Here is another one in which the consideration is not given?—It is the general nature of the instrument?—Yes; there is very little difference between that and the present index.

828. That would refer you to the book of that name which would give you the full information that the abstract would give. We considered it necessary to have fuller information in the proposed form of abstract, in consequence of our recommendation to do away with the memorial, and to prevent references except where necessary to the full copies of deeds brought in in place of the memorials. For that purpose we propose to give these columns in the abstract, particularly the last column, which would contain the denominations that would not necessarily be indexed, for the Ordinance Survey denominations would be the only one that the Lands Index would be made up on. But still you would have the information there without going to the trouble of comparing the parcels contained in a deed against the Ordinance Survey denominations—And these would be compared by the clerks.

829. Either that, or done upon the responsibility of the solicitor?—Yes, and would there be a comparison of the deed and its copy by the clerks.

830. That was the recommendation we made in our report?—That would take a great deal more time than the present system.

831. Yes, it was estimated by Mr. Dwyer, that it would take either fourteen or sixteen additional clerks?—I should say that at least, because it would be a more laborious comparison than the present. A man would be more reluctant to part with that comparison, than our present one of the day sheet with the memorial.

Examiner
Feb. 3, 1888.
Mr. Ansell
Lyon.

832. We propose two comparisons. We propose first a comparison, or rather a checking of the abstract brought in by the solicitor with the original deed book, in the same way as the memorial is now, consisting that checking to the statutory requirements for registration. That would accomplish all the requirements of the registry; but there is a secondary use of the memorial when used in place of a lost document—as secondary evidence in hunting up title, and it would be desirable that this copy of the deed brought in should be accounted to be correct. Of course, it would, if so ascertained, be a more accurate reference to a lost document than the memorial would be—And that copy would be compared by us.

833. Yes, but not prior to registration necessarily?—But would the abstract be compared previous to registration?

834. Yes, just as the memorial is now?—And given back to the party if there is any correction to be made?

835. Yes!—Then that comparison would be made as now—that is, a comparison of the abstract against the original deed would be made before registration.

836. Yes!—It would be only a matter then for the safety of the public; but what would be the responsibility of the officers. Their responsibility, for instance, under Stat. 3rd W. IV., c. 87, s. 28, by which, in case of neglect or default, they are rendered liable to fine and actions for damages.

837. We have been informed that there has been a change made in the system from what used to be, so that very matter about comparison!—Yes, a change has been made.

838. Just state what the change has been!—The change is simply this—that formerly the deed was given to the Assistant Registrar who numbered it in his book, and it was registered. It was then given for comparison, and if an error was detected, the deed was withdrawn and returned to the person who tendered it. There was a book called the "Returned Deed Book." In this we had all the particulars of the date of the reception of the deed, the solicitor's name, and the cause of the withdrawal—and when the solicitor, in pursuance of attestation, called for his deed, he signed that book, and got the instrument.

839. And what is the existing system?—The existing system is to perform that comparison before the deed is presented to the Registrar.

840. Then that comparison is done immediately upon a deed being brought into the office?—Yes.

841. And the person bringing in the deed must wait there until his deed has been compared with his memorial?—Yes.

842. And the deed is not numbered with its Registry number until the comparison has been actually had?—No, not until it is given to the Assistant Registrar.

843. Now, what are the relative merits of these two systems, in your opinion?—For the sake of the public, I think the present system is the better one of the two. In the other case there was great inconvenience as to the priority of deeds. A man's deed was registered, and perhaps after the consideration named in it had been paid, it was withdrawn. I have heard the question mooted whether it was competent for the Registrar to do that, but be that as it may, the profession have unanimously approved of the new system, viewing it, as the greatest possible facility to them.

844. Then you think it would be desirable, if our recommendations are adopted, to continue the comparison of the abstract with the deed before the registration takes place?—Yes.

845. Have you ever heard of a deed being altered after execution—some error discovered in a deed during comparison with the memorial and the instrument altered?—I never heard of such an instance.

846. Look at this (the specimen Names Index).

This is a deed executed by six persons of the name of Andrews. It was proposed that the name should be thrown out in the left hand margin—that is the name on which the search would be made?—In alphabetical order of christian names.

847. Another plan proposed was that there should be a particular surname heading the page, just as in the Landis Index the Ordnance Survey township is at the head of it, and that under that name should appear all the acts affecting a person of that surname?—I fancy that if you adopted this (specimen index) it would be sufficient for your purpose.

848. Do you think it would be of advantage or otherwise that under the name of Andrews you should find in the index the names of all the persons who are joined with him in that deed?—That would be an abstract and index as far as grantors go.

849. Do you think it would be better then in constructing a Names Index to have the entry confined to the particular individual?—I think so; the remainder would be tedious.

850. Mr. BLISSON.—But, for the purpose of attesting stereotype blocks do you think there would be any great harm in introducing into the index the names of the other grantors?—I don't think so, of course it would necessitate greater labour—more reading.

851. Is the index rendered a worse index from having that additional matter?—I am not prepared to say that, but I believe those superfluous entries would be in the way, and you would frequently have parties indexed as grantors who did not act affecting the land.

852. Mr. ANASTASIOU.—Does it often happen that solicitors are obliged to take away their deeds unaccompanied from pressure of business?—That does happen, I think, but that is often attributable to themselves; solicitors now seem to be by altogether in the fore part of the day, and the rush comes after two o'clock. They have been told over and over again that they should not come in late, and they have been cautioned against the consequences.

853. The VICE-CHANCELLOR.—Do you think it would be an improvement to keep the office open only until two o'clock each day for the purpose of registration?—Yes.

854. And that would give between two and four for indexing and the preparation of the day-sheet for next morning?—In that point of view I think it would be an advantage if you closed the registry at two or three o'clock. But then there would be a shorter time, and this rush would be sure to take place all the same. On the whole, perhaps it would be better to have the longer time, for men will run to the latest hour.

855. How do you manage to have the day-sheets ready for next morning when they go on that way?—The day-sheet is quite ready each morning up to half-past three o'clock the day before, but all the day's deeds are not on it by one week morning.

856. Mr. ANASTASIOU.—Don't you think it would facilitate registry very much to have a uniform stamp upon the abstract or memorial—a stamp of a fixed amount irrespective of the length of the abstract?—I have not had the opportunity of considering that subject.

857. The VICE-CHANCELLOR.—Do you think there is any advantage in having this inspection of stamp duty in the office at all?—Well, an argument in favour of it is that deeds are frequently found insufficiently stamped. It is a protection to the public.

858. And to the revenue?—I don't consider that so much as that it is a protection to the public, because if the deed were found after a certain lapse of time to be insufficiently stamped, would it not be invalid and the interests of parties, perhaps, defeated.

859. Mr. MADAM.—You think that a benefit arises from the fact that the error, if there be error in the stamping of a deed, is discovered in the office?—Yes.

860. Mr. PRIDEMORE.—You complain of the late hours at which solicitors bring up their deeds?—Yes.

861. But, may not that depend on the hour at

EVIDENCE.

Feb. 2, 1885.

Mr. J. J. Lynch
Leyce.

which transactions close—and most frequently they close just before the banks!—Perhaps so.

865. Mr. LANE, Q.C. (Secretary).—Under the new system, if a rush comes, and that all the deeds tendered cannot be compared that day, the parties must go away with their deeds!—Yes; in many cases they do so.

866. But, in the old system, the deeds were just handed in!—Yes.

Mr. Thomas
Taylor.

Mr. THOMAS TAYLOR examined.

867. The VICE-CHANCELLOR.—What department are you in, in the Registry of Deeds Office?—I am a third class clerk employed at searching.

868. How long have you been in the office?—Seventeen years.

869. How do you stand now as to the seniority in that class?—I am No. 13 in the third class.

870. Mr. MANNES.—You are ninth on the list sent us in December last. (*Infra*, p. 124.) You entered on the 8th of July, 1863?—Yes, I did. The list I saw was in February.

871. Mr. ARMISTEAD.—Mr. Taylor is twelfth on the list supplied from the office in June, 1878.

872. I think I can explain how it is. The Treasury have given effect to one of the recommendations of the Commission—recommendation we were all very glad of, and that has given me promotion three steps.

873. The VICE-CHANCELLOR.—Are you one of the gentlemen deputed by your own department to give evidence here?—I am.

874. Have you prepared any statement that you wish to make to us?—We lodged a memorial setting out certain disabilities we laboured under in relation to classification, rate of salary, slowness of promotion, and so forth. (*Infra*, p. 119.)

875. We already had that in evidence. Now, what suggestions have you to make on behalf of yourself and your brother clerks?—With reference to the particular duty that I am employed at with twelve others in the third class—that is to say searching—the duty is of the most arduous nature. It involves a great deal of personal responsibility, and we say that we are not adequately remunerated, having regard, not only to the length of time parties have been in the class, but to the nature of the duties discharged; and having also regard to the position of gentlemen in other public offices.

876. Are there clerks in the second class—for instance—who are not discharging duties as arduous, who receive as much salary as clerks in the searching department?—There are.

877. And we have ascertained that the promotion from one class to another is not connected in any way with the nature of the duties that clerks have to discharge?—It has nothing to do with it. I mean that the duties are assigned to those clerks competent to discharge them, regardless of class, and the performance of superior work by a junior clerk does not necessarily entitle him to promotion under the present system.

878. And do you think there ought to be a separate class of searchers divided into grades?—No. I would not advise that it should be limited in that way, because the seniority of an individual in that class would not relieve the responsibility of the junior. They are equally responsible by our rules. When working along with a first class clerk, I am not relieved of my own responsibility.

879. And the duties discharged by both are quite similar, I suppose?—Quite similar.

880. How are the duties assigned to each clerk in the office?—According to the Registrar's idea of the adaptability of the clerk for the duty to be performed.

881. Has the Chief Clerk the assignment of these duties?—I think they are assigned upon consultation between the Chief Clerk and the Assistant Registrar; but that is to a certain extent speculative on my part,

884. Mr. FINDLATER.—But, then, were not things much worse. If a deed was returned, the money might have been paid before the error was discovered for which it was returned?—Yes.

885. And was not it because of complaints made by the solicitors and the public of that very thing that this alteration was made?—I believe so.

886. And it is working to the satisfaction of those using the office?—So far as I can say, it is.

become I have never been present at these consultations. But we consider it a very great hardship indeed, that while we are called upon in common with clerks of the first class to discharge duties in which there is no difference in responsibility, and we think, naturally, that we have a right to be paid something better than at present.

883. Then would you propose a classification according to the nature of the duties to be discharged?—There would be a difficulty about that, for if a clerk discharging duties appertaining to the first class, got sick, it might be difficult to get another clerk in the first class to take his place. After all that must give way to the exigencies of the department at the time.

883. What recommendation would you make then as to promotion?—The suggestion I am directed to make by the third class clerks is, that the department should be divided into two classes. We think that that is thoroughly practicable at the present juncture, for recently the recommendation that the Commission have been good enough to make with reference to filling up vacancies has been carried out by the Treasury by the appointment of a number of the Playfair system. Any re-arrangement of the old staff now made by the Treasury would not land the Treasury to depart from the Playfair system; and if it is shown that there is a redundancy of clerks in any office, the Treasury, under that system, have power to transfer those so appointed from one department to another. We, however, who were appointed under the old system, think that ought not to be done, so far as we are concerned, and that the office could be readily divided into two classes.

884. What do you propose—instead of three classes, two?—Yes.

885. And what number of clerks in each section—there are six clerks at present on the staff in the third class?—We would ask that they should be divided in the way that the staff of the Paymaster General's Office is divided.

886. They are in equal numbers in the Paymaster General's Office?—We would like to get equal numbers, if possible, also.

887. Is there any other alteration you would propose to make?—Yes. I have been authorized to speak very strongly on matters affecting the personal comfort of individuals—the unhealthy state of the office.

888. We would like to hear you on that!—Perhaps it would be convenient for me to refer here to a report made by the late Sir Dominick Corrigan. (*Infra*, p. 121.)

889. Yes, we would like very much to have that. It has been referred to by Mr. Leyce. Of course it was made a considerable time ago. It is dated the 25th of February, 1860. I extracted certain parts of it from our records on Saturday last. But although it is of such remote date, I should remark that the condition of things has rather got worse since. Sir Dominick states that he had been called upon to inquire into the method of heating and ventilation in the department, and he commences by stating—

“That the odor from so large a quantity of animal skin is necessarily, and even must be, oppressive. Air more or less loaded with it will be at all times disagreeable, and breathing it for a long period must exercise an injurious effect upon respiration and health.”

Actual experience has painfully proved that to be quite true. The statement made by Sir Dominick has been proved, unfortunately, by the deaths of

many persons owing to disease of the respiratory organs. My brother died from it, and there are gentlemen in the office who have suffered and are suffering from it.

880. How your own health suffered from it—I have suffered from it to some extent. Sir Dornick says—

“Division into compartments renders a free and full supply and circulation of fresh air without drafts very difficult if not impossible. Fresh air must sweep along in cold currents between the partitions.”

That is strictly true.

891. What does Sir Dornick mean by division into compartments?—I think he refers to the Library more particularly. There are large racks or stacks there for books, and every available space in the Library is appropriated to these racks. One of the duties of a searcher, having a search for Acts before 1828 (behind which there are no compared abstracts), is to search the old books. These old volumes are kept in the Library, and in making searches, an investigation of them involves the spending of two or three days at that particular duty; and that has been discharged by us at great inconvenience and risk, because we are searching on a gangway, with a window open to the right and left of us, and without any other means of ventilation.

892. In a draft?—Yes, in a perfect whirlwind; and more than that, the flooring is flagged, and you have no idea what makeshifts we have recourse to in order to get something under our feet when we are searching there. I have not the slightest hesitation in saying that much of the ill health in the department is attributable—amongst the searchers at least—to that.

893. Do you speak of the coldness of the feet?—Yes; the flagged floor and the drafts in places of ventilation. Sir Dornick Corrigan, in his report, refers also to the danger resulting from having a number of readied apartments, and from constantly working in a room with decaying parchment, and remnants that, as much as possible, the clerks should be allowed to work in apartments with the whole body of air in full and free circulation about them. With reference to ventilation, there is positively no ventilation at all; and it would be quite possible to ventilate that place by having proper ventilating-shafts put into the walls. The excuse or apology for ventilation now existing is that one pane of perfected zinc has been let into the window to ventilate a large apartment.

894. How many are employed in that department?—There are twenty-four searching clerks, and I should state that twelve of these are in the third class.

895. Mr. LAY, &c. (Secretary).—On what floor is that room?—On the same floor with the Registry. We are all on that first.

896. The VICE-CHANCELLOR.—Is not the searching-room very confined in itself?—It is certainly.

897. Is not the accommodation quite insufficient for the numbers there?—Yes; and the transaction of business is actually interfered with owing to that; particularly owing to the want of accommodation for books, and the want of space. There is no place to put a book on when you have taken it from the rack. In winter-time, from the number of clerks employed there, the foetid atmosphere—the air being boiled over and over again by these pipes go to render it very difficult to discharge this very arduous duty.

898. Have you got a copy of the report of Sir Dornick Corrigan?—No, but the Commission can have a copy from the records of our department.

899. Is there anything else you wish to speak to us about?—Well, we have read very carefully—at least I have read, and I have no doubt all the clerks have read—the report lately issued by the Commission, and many of the recommendations made will, no doubt, relieve the department. I consider that the one referring to the situation of the premises would give great relief, at all events, to the searchers—that is,

obliging parties to put in the situation of the premises. The exclusion of deeds and relating to books of which a large number have been placed on the registry, some of them disposing of shares in a steam packet company or furniture of a house, would greatly relieve the registry, as the number of them has become exceedingly large. The quinquennial consolidation, instead of the decennial, will be a great advantage to the department also. The latter period is too long, and I have heard complaints made on that score, but, in my opinion, as a practical searcher, a better Names Index you cannot have than a consolidated index by Christian names and surnames, showing the counties. It is impossible, in my humble judgment, to devise a better system of indexing than that. But there are some further suggestions which, if I am in order in mentioning, I would say it would be well to have carried out, as the result would be a still further improving the department. Some of them have been already touched upon by the Registrar, Mr. Drayon, in his evidence. One of the greatest difficulties I have to deal with as a searcher in the system of exceptions, in requisitions for searches. Nothing could be more reckless than the way these exceptions are made in some cases. I complain too of the bad writing both in memorials and requisitions. I would submit that every written document coming into the office should be engrossed and not written in the careless style they are. Any sort of writing seems to be good enough for a memorial or a requisition for a search, and really sometimes it is more gaudy-work than anything else to decipher instructions for searches which ought to be given with the utmost precision, and a search must be stopped until any doubt is cleared up. A requisition comes into my hand the other day, and I had to put a query on the book, and to send for the solicitor to learn the name of the person to be searched against. I speak the mind of my colleagues when I say that some of the exceptions have come to be a crying evil, and that if the business is to go on something will have to be done to have them changed. They cross never in the first instance; and again, the searcher is just as liable for an exception as for an act, according to the rules of the department. Great loss of time is involved, and I would strongly recommend that exceptions be done away with—the necessity for exception does not exist now. They formerly enabled a solicitor to escape stamp duty, which now has been repealed.

900. Did we not recommend that they should be done away with?—No. I was very much surprised that nothing was done on the subject. Evidence was given on it, and very strong evidence too.

901. I am glad you have called our attention to it. It was an oversight on our part. We would be glad to hear any other suggestions you have to offer us. Another subject that has been touched upon by the Registrar is the Record Negative Search Book.

902. Yes, we would be glad to hear you on that subject—I have spent a considerable time looking into this matter to see how the recommendations would affect the department. The average number of searches issued upon that book in the year is only about 102. The expense of keeping the book, which is after all only a speculative book, is very considerable—it has not been avoided of as a rule. One of the chief objections to it is this—that after a search is made upon which the payment of a large sum of money may be depending, and time is therefore an object, that book has the effect of retarding or delaying matters, because into it the search must be copied, and the copy compared, before it can leave the office.

903. Mr. MARGEN.—But don't you think that by the use of that book a great deal of expense might be saved?—I admit that if a search is ordered on exactly the same lines, and looking for exactly the same information as is found in that book, that it would be a saving; but when a search is wanted, differing in

EVIDENCE

Feb 2, 1886.

Mr. Thomas Taylor.

REFERENCE.

Feb 1, 1890.

Mr. Thomas

Taylor.

any way from the one recorded, I do not see how it is available.

904. So far as the lines are available it might be utilized, and would it not be made more useful by doing away with the system of exceptions?—That might make it more workable, and make it, perhaps, be more referred to, but I do not think it will make it popular, having regard to the necessary delay in the delivering out of searches that the writing up of it involves.

905. Mr. ARMISTEAD.—How is there delay—does it arise from the more mechanical act of writing it up?—Yes; writing it up and comparing.

906. Mr. LANE, Q.C. (Secretary).—And you have to keep up a separate index for the Negative Search Book?—Yes; we keep two—one an index of names and the other of lands, but I should say that the index of lands is only confined to those searches that have been confined to lands.

907. Vice-Chancellor.—Have you anything else to say, Mr. Taylor?—I would like to draw the attention of the Commissioners to the increase in the duties of the department—the increase of business. In 1860, when the Treasury determined the number of our existing staff, the number of deeds recorded was 10,838, and that an increased now to 18,000 deeds for last year.

908. That is nearly double in fact?—Yes; and between the years 1873 and 1879—I have gone to the trouble of calculating—the rate of increase has been 32 per cent. That is in six years—that is to say, for every 100 deeds recorded in 1873, 133 have been recorded in 1879. That is a large increase in the business of registering deeds alone. The Negative searches, which in 1866 numbered 1,020, in 1879 numbered 1,594, being an increase of over 50%.

909. In the year?—Yes, i.e. in 1879 as compared with 1860. That is the negative searches; and a negative search is made twice, and is therefore equal to two common searches.

910. That is, it is made by two separate clerks?—Yes.

911. And they check against each other?—I make a thoroughly independent return, and the advantage of the system is, that my return is not affected by that of the other clerk. We then compare results. We are obliged by the rules to determine the general charges ourselves. If searching were confined to returning only direct acts, and if acts were all direct, there would be comparatively little difficulty about it; but I have to keep the return I make to the solicitor as free as possible from general acts, having regard, at the same time, to the responsibility of the office. The consequence is, I read the memorials in *extenso*, and from my experience and knowledge see how far, if at all, a certain general act affects the search.

912. Mr. MADDEN.—And if there is the slightest doubt I believe you return it as an act?—Yes. In the event of the searches taking opposite views of a general act the case is referred to the Registrar or Assistant Registrar.

913. Vice-Chancellor.—A common search is made by only one clerk?—Yes.

914. You were going to give us the number of common searches?—Yes; the common searches in 1860 were 788. Last year there were 1,198 common searches. Now all this increase of business has been met by the existing staff of clerks. Mr. Dwyer in his suggestions quotes Lord Perry's statement, and I need not refer to Lord Perry now, because we have the kind reference in your report—that we have met the requirements of the public. But Mr. Dwyer states this is due to the clerks devoting all their time to the work, or nearly all—that is to say, that in consequence of the increase of business it has not been possible for some years to give us the full amount of the vacation to which we are entitled.

915. With the present work and the present staff would it be possible to give the full six weeks' vaca-

tion to the clerks?—I think it must be inferred from the Registrar's report that it would not.

916. Then you would recommend an increase of the staff in order to enable the Registrar to give that vacation?—I don't know that I would do that.

917. Then how would you propose to do it?—I would recommend an increase of salaries. I would rather recommend an increase of salary to the existing clerks, who have devoted their time to saving the National Exchequer from the payment of additional hands.

918. That is through working over-time—working vacation?—Already the current business—we have it from Mr. Dwyer—has been kept in hands by the extraordinary exertions of the clerks. I and every clerk with a small salary would like to get an increase. If our vacation is interfered with by the pressure of business, we think we ought to be compensated by additional salary, at all events. We here feel that we are placed in a disadvantage as compared with other gentlemen in not having the regular holidays. The act only provides for the closing of the department on two days, Christmas Day and Good Friday.

919. Now what holidays do you think you ought to get?—I think we ought to get the holidays closing in all other Government departments.

920. But they vary?—But there are regular well-known holidays that are sanctioned by law. If possible, I would like to have the liberal scale given under the Judicature Act to the gentlemen in the Four Courts. And you must remember that ours is pre-eminently a law department; at all events it is connected with the law; and we ask that the same holidays should be given to us as are given in the Four Courts.

921. The holidays in the Four Courts are Sunday, Good Friday, the Saturday before Easter, the 36th of March, the 30th of March, the 24th of May, Monday and Tuesday in Easter week, Whit Monday, Whit Tuesday, Christmas Day, and the next seven following days. It would be hardly possible to give the whole of the clerks in a department like yours such a number of consecutive holidays. Would it not stop the business of the registration. Of course, as to searching it would not matter so much to have the place closed for that time; but would it be, in order to keep the department open for the purposes of the registry—would it be possible to give half the clerks one portion of the holidays, and the other half the remainder, so as always to keep half the staff in the house?—Well, unless a change is made in the law which requires the office to be open on every day except the two days I have mentioned, some such arrangement should be made.

922. As to giving so many as eight days in succession, there might be a public inconvenience in that?—Perhaps I should not go further than this—to call the attention of the Commissioners to the services we render—the disability we labour under in regard to the unhealthy atmosphere—and to ask you kindly to give us relief in the matter of holidays.

923. Mr. ARMISTEAD.—Is there any error in the office?—Not that I am aware of.

924. An error in searching?—None that I am aware of.

925. Mr. MADDEN.—You mentioned the Playfair system. Having regard to the very special knowledge that clerks in the Registry of Deeds require, do you think that that system is adapted to the department?—I do not think it is.

926. It is not like an ordinary Government department—ordinary book-keeping and things of that sort—it is the study of a lifetime?—I think it is, and the Commission will see that the duties are of a special nature, and not the ordinary office duties. Indexing, abstract construction, and searching are duties of a very special character, indeed. Before I was put to searching I was seven years in the department. You

cannot take a man off the street and make a searcher of him, and you cannot take a Playfair man in and put him up to make an abstract.

927. Mr. LARK, G.C. (Secretary).—But when a man was taught in under the old system he had to learn and obtain experience also?—Yes, certainly; seven gentlemen have come in under the Playfair system already.

928. Then they will have the same opportunity of learning, you know, that a clerk going in under the old system had?—In nearly every other case in which the Treasury have applied the Playfair system to a department, they have improved the position of the existing clerks.

929. The VICE-CHANCELLOR.—And that has not been done in your office?—No; and I rely upon the increase of business, the unhealthy condition of the place, and the nature of the duties we have to discharge, for an increase of salary.

930. Mr. FINLAYSON.—Any clerk taken into the department now by competitive examination, would as not be in as bad a position as a man taken in under the Playfair system?—But there, you must remember, are supplied under the second division of the Playfair system, and the utmost salary they can reach is £200 a year. We who know the business are of opinion that when they really find out the arduous nature of the duties to be discharged they will say that they cannot continue at such a salary—and will not be satisfied with it.

THURSDAY, FEBRUARY 12, 1880.

Mr. CHARLES M. ARNOLD examined.

931. The VICE-CHANCELLOR.—In what class are you, Mr. Arnold?—The third class.

932. What business are you employed upon in the office?—I am on the searching list, but at present I am engaged in arranging one of the indexes for consolidation.

933. And does that occupy your entire time, or do you attend to any other business contemporaneously?—I attend to no other business.

934. And how many clerks does it take to prepare the consolidated index?—The work I am on is rather preparing for the indexes than preparing them. The current period has to be arranged in double dictionary order for copying out hereafter; and it is on that duty, arranging the Christian names for the index, that I am now employed. That only takes place at the end of every period.

935. How many copies are made of that consolidated index?—Only one.

936. Would it not be very desirable to have a number of copies?—It would.

937. Would you approve of printing that index?—It would be most desirable if it could be readily accomplished. Printing could, of course, be more easily read.

938. And any number of copies that might be required could be had?—I presume so.

939. I dare say you have prepared a statement to make to us; and if so, we would be glad to hear you?—In addition to the statement read to you on our behalf on a former day, the only thing I have to say is in reference to one section in your report grounded on what must have been defective or erroneous information. It is in relation to the indexes from 1800 to 1832. The report says there is no name index for that period, and recommends that it should be compiled. Well, there are indexes.

940. Tell us the correct state of facts?—It says that no index of names has been constructed for the period included in those years, from 1800 to 1832, whereas there is an index for those years. It is in a more cumbersome form than the present series, but the indexes are there already constructed for that period. Of course it would be very

931. Mr. MARRER.—Beside a man coming in under the old system got promotion in the office, whereas under the Playfair system clerks get promotion by passing into another grade and into another office?—That is a very valuable suggestion. I never thought of that till now.

932. It is a duty requiring very special qualifications?—Yes.

933. Mr. LARK, G.C. (Secretary).—With regard to promotion, and carrying on promotion merely through the class as at present—there are first class men in your office that could not be put to indexing or to making the day books from their handwriting?—I would not like to go into the capabilities of individuals. Of course we have to presume that every gentleman has earned the promotion he has got; but I think I might remark, in conclusion, that if ever an office existed which would show the inequality and the injustice of classification, it is ours, because, as I have already explained, the duty is divided indifferently between the first, second, and third class clerks, and that must be so because of the character of the business. The result is that you will find men like myself in the third class at work side by side with a man of the first class, in discharging the very same duty, but, owing to class limitation, practically debarred from ever attaining to the same position or salary, and that we think a hardship.

934. Are they in use in the office?—Yes.

935. And have they been checked?—Yes. The only thing is they are more cumbersome and slower to work upon than the consolidated indexes; and if a portion of the staff could be detailed to the construction of them it would be very desirable.

936. How long have you been in the office?—More than twelve years.

937. What is your opinion of the accommodation provided in the buildings for the gentlemen employed there?—I consider it is very inadequate. The building, or at least that portion of it, was never intended for so large a number of persons, and a good part of it is unsuitable for the purposes of an office; it is constructed of stone, and is inadequately ventilated; in addition, the greater part of it is now heated with hot-water pipes instead of by open fire-places.

938. Has that change been made since you entered the office?—Yes; within the last six years, I think.

939. And do the gentlemen now suffer more than before?—Undoubtedly; from greater cold in the morning before the pipes are heated, and from over-heating afterwards.

940. Is there sufficient room for the public in the searching-room, do you think?—I don't think there is; it is very frequently overcrowded.

941. Are there any suggestions or observations you would wish to make?—With reference to the books or report I have not.

942. Anything connected with the department?—With reference to the status and position of the clerks, if you would permit me.

943. JAMES CHAMBER.—I was just wishing to ask you about that. There are first, second, and third class clerks; are there not?—Yes.

944. And has each class a particular business of its own?—No; the business itself has a character that could not be carried out. The work is constantly inter-changing, and a third-class clerk might be put to-day to do the work a first-class clerk was doing yesterday. In searching, for instance, clerks of each class are engaged on the same work, and the responsibility of each is equal.

EVIDENCE

Feb. 8, 1880.

Mr. Thomas
Taylor.

Feb. 12, 1880.

Mr. Charles M.
Arnold.

Evidence.

Feb. 12, 1894.

Mr. Charles M.
Arundell.

953. Mr. ARUNDELL.—Do third-class clerks make negative remarks?—Yes.

954. JUDON ORMSBY.—Am expending the views of some others in your office, have you any suggestion to make about the arrangements of the department?—In the first place, we feel that the classification is hardly such as is commensurate with the size and the importance of the office; that the numbers in the junior or third class are out of proportion with the others. There are more in it than in the second and first classes combined, and the maximum salary to be attained in it is smaller than in any other public department, while the rate of annual increment is also smaller. In the majority of public departments there is an increase of increment after eight years; up to that it is £10 a year, and then it is raised to £15. There is no £15 increment in our office in the junior class; consequently, the utmost a man can look forward to in our department is less than we think it should be.

955. The VICE-CHANCELLOR.—Could you express an opinion as to what would be about the time it would take a man in the third class to get up into the second, in the ordinary course of promotion?—I think it might take twenty years.

956. I find Mr. Jackson, the senior third-class clerk, entered the office in 1856, and he is still in the third class?—Yes.

957. Mr. Ray entered in 1860, and Mr. Beke in 1852, however this return will give us information on that subject?—Yes, and I think you will find that twenty years would probably not be an exaggeration. When a number of men come in together it prevents accurate calculation, for instance, a large number of men came in in 1853, their seniority is a little one above the other, but they are practically of the same age, and therefore there is not the same chance of promotion through retirement or death, that there is in a department where men are brought in gradually one by one.

958. Are you able to get your vacations?—No, there is a great difficulty about that; in the first place we never get the six weeks that we are entitled to, or at least that the Registrar is entitled to give us, and besides that we have none of the statutory holidays given in other offices, nor have we the Saturday half holidays.

959. Do you consider that all these are reasonable grounds for complaint?—I do, and I may mention with regard to the statutory holidays, that I inquired to-day of a gentleman in the Stamp Office as to the number of holidays they have on which the office is closed, and he informed me that they have not only all the holidays given by the Bank Holidays Act, 1871, but the Queen's birthday as well. I mention the Stamp Office in particular because it is frequented by the same class that come up to us, solicitors and solicitors' clerks, therefore the giving of these holidays to us would not, I assume, be anything of a public inconvenience; there is another point that perhaps

you would allow me to refer to; we mentioned in the memorial or statement of our case sent in, the degree of personal responsibility which attaches to us, and I would like to explain that that is not a myth, but that there is a substantial responsibility resting not only on the heads of the office, but on the clerks themselves, that is under the provisions of the 2nd and 3rd William IV. cap. 87, sec. 38.

960. I was not aware of that; I thought the responsibility was confined to the Registrar and Assistant Registrar?—We look upon that as being not only a great responsibility upon ourselves, but also as attaching a degree of importance to the work we perform, which gives us a claim for larger salary and proper leave.

961. Was there ever a case to which that section was applied within your time?—No.

962. JUDON ORMSBY.—Do you mention this matter with the view of getting the law altered, or so say, entitling you rather to consideration in respect of increased remuneration?—I don't know that we actually feel the pressure of the Act in a penal way upon ourselves, but I think it establishes our claim for increased consideration.

963. For the extra responsibility?—Yes, and the importance of the duties we perform. I think I did mention that the third class clerks in particular feel it to be a great grievance upon them, that the classification of the office affords them so small a chance of promotion, and that the annual increments of salary are so small.

964. Yes, we have that already; was there anything else Mr. Arundell?—No, I think not, except to say this, that in any change that possibly the Commission may see fit to recommend in our favour, inasmuch as the Playfair system has been now introduced into the office, it might enable the Treasury to deal more generously with the old staff. What they did for us would not be perpetuated, because as we fell out our places would be filled according to the Playfair system.

965. I see by this return from your office that that system has been brought into operation there?—Yes, and I mention that to show that the Treasury would be able to deal generously with us now, without kindling themselves for the future, because as the present staff dropped off the vacancies would be filled by those lower division men who would not have the same claims.

966. But you are not to assume that the Commission is in favour of applying that system to an office such as this?—I am sure not, but it seems that the Treasury have already determined the matter for themselves.

967. Is there anything else you wish to add?—No. We feel, after the kind testimony to character given in your First Report, that you will be able to recommend us for something better in your second.

MR. JONES BOARDMAN EXAMINED.

970. The VICE-CHANCELLOR.—You are one of the transcribers in the Registry of Deeds Office?—Yes.

971. I have just read a memorial that has been sent in by your body?—Yes; we sent in a memorial.

972. Which was signed by all the transcribers?—Yes, by the entire staff. (P/p/s, p. 125.)

973. It contains the statements that you desire to bring before the Commission; and are you able to say, from your own experience in the office, that these statements are correct?—I have been there for nearly ten years, and I can vouch for every one of those statements.

974. Have you a permanent position in the office?—No, except during good conduct.

975. But are you merely brought in for the purpose of temporary work, or are you permanently there?—Permanently as long as materials exist to be transcribed. We are there to transcribe the memorials.

976. Then your class are so employed exclusively?—Yes.

977. You make a transcript of the memorial into the transcript book?—Yes.

978. Do you make copies for the public from that book, when copies are required?—Yes; that is what we are employed on.

979. You have no salary?—No fixed salary. We are only paid by the amount of work done; a penny halfpenny per folio.

980. And a certain amount of the work is not paid for?—Yes, headings and endorsements. (P/p/s, p. 126.)

981. And you have to prepare your own parchment?—Yes.

982. Is that a very tedious process?—Sometimes we have to go over it three or four times before we can make it take the ink.

983. Are you aware of the way the clerks of your

description are paid in Chancery?—Yes; I have a list showing their rate of pay in all the Chancery offices and in the Probate offices. In the Court of Chancery they commence with 10s. a week, increasing by 5s. a week every five years until £2 is attained, and beside that they rate at a penny halfpenny per folio.

984. And are they paid that salary whether they are employed or not?—Yes, they have that fixed salary. In the Queen's Bench, Common Pleas, and Exchequer offices the writers have a salary of £50 a year, with a penny halfpenny a folio for writing, and some writing, such as judges' books and reports, they are paid three-pence a folio for. They are also allowed half-penny for comparison.

985. Will you explain this passage in your statement about comparison:—"By percolating the extra clerks to carry on the comparison of their work, making an allowance, of say, half-penny per folio for this duty, all transcripts laid before the public would be reliable." Is your work not occupied by yourselves at present?—No.

986. Who compares it?—Two staff clerks—one a second-class clerk and the other a third-class clerk, and they only compare about a fourth or a fifth of the work, to the great inconvenience of the public.

987. Are there only two employed in the work?—Two entirely employed, and there are two employed comparing attested copies.

988. Every attested copy, of course, must be compared?—Yes.

989. And what class of work do you say is not compared?—The transcripts.

990. Into your own book from the memorialist?—Yes. There is only about a fourth or fifth of that work compared.

991. Judge OKUNEY.—Do you mean that there is a portion of certain of the documents not compared, or that some are left uncomparing altogether?—None left uncomparing altogether.

992. Of course any document they take up to compare they finish?—Yes.

993. And they leave others uncomparing altogether?—Yes.

994. Mr. ARMSTRONG.—If you make an attested copy do you make it from the original or from the books?—From the books when the entry has been compared, and when not compared we take it from the original. If we got the comparison to do it would cost the office a great deal less than it costs at present.

995. Why?—There is one second class clerk now employed with a salary of £300—I think he is at the maximum—and there is a third class clerk with £200 a year. That is £500; and there are two third class clerks employed in comparing attested copies. Their time is value for about £300 say. That is £700 a year in all, and if we got a halfpenny a folio for comparing all round we would do the whole for £480 a year.

996. The VICE-CHANCELLOR.—Would you propose that the man who writes should be one of the persons to compare?—Certainly. Every two should compare for each other.

997. Would it not be an important thing that the comparison should be made by at least one person, who has not been engaged in the writing, to avoid consciousness of comparison?—One or two might be employed by a staff clerk to see that they were accurate, and another check for comparison would be the reading of the attested copies afterwards, because they would be compared against the original document, and so that comparison it would be seen whether the comparison of the transcript with the memorial was correct or not.

998. Do you wish to give any other figures? I think I took you out of your line?—Well in the Probate Court the writers have 10s. per week for five years, increasing by 5s. per week for the five years until 50s. is attained, with fees of 2d. per folio; and I am told that solicitors usually pay 5d. per folio for

the work which we transcribe at 1d., and in many cases it is not half so neatly done. Our present rate of pay was fixed so far back as 1847, and no improvement has since been made in our position, although the different classes in the office have received two or three very substantial increases during that time. We feel also that getting no remuneration or allowance for headings and endorsements is a grievance (*infra* p. 126). They are written in a very large hand, and necessarily occupy more time than the ordinary class of work, but, notwithstanding, we get nothing for that. They do not even count as words. Previously the clerks, I am told, were allowed two folios for those headings and endorsements, but by some means or other that was cut off. It may appear a small matter, but it would make a difference of about £20 a year to an average transcriber.

999. What can a transcriber earn in full work per week upon an average?—From 30s. to 50s. a week. My average in 50s.; but there are others that average very little more than 20s.

1000. Judge WARREN.—And what time do you devote to making that?—Six hours, from 10 o'clock to 4; but that is very hard work, and out of the whole class there are only two who can make 50s. a week. Others vary, as I have said, from 30s. to £2 and £2 5s. Another matter that we wish to impress on the Commissioners is the writing of attested copies from these old documents, some of which are almost entirely illegible. It has occurred sometimes that a man spends the entire day copying 7 or 8 folios. That is he has for his day something more than 1s.

1001. The VICE-CHANCELLOR.—And would you suggest that the Registrar should be empowered to make additional compensation for additional labour of that kind?—We consider it would be better to give a uniform salary for everything.

1002. To adopt something like the system in the courts of law?—Yes.

1003. That is, a compound system of salary and payment for work?—Yes, for it is a very hard thing to be there for a number of years and have no salary—nothing to rely on.

1004. And, of course, as you say in your memorial, the other man gets the less he is able to earn?—Yes; his hand becomes stiff and his conviction gets out of order.

1005. Mr. ARMSTRONG.—Is there ever a period of idleness in the office?—In 1871 and 1872 we were walking about the office several days in the week idle. It occurred to myself, though I can earn 50s. a week ordinarily. I had one week only 7s. or 8s., and I did not think it worth while making out an account for it, so I held it over until the next week and went that week without anything.

1006. The VICE-CHANCELLOR.—Was that in one of those years that you have mentioned?—Yes, in 1871 or 1872.

1007. And what was the cause of that?—I don't know. It was a short time after I went into the office, and they were slack for some time, but in 1873 matters improved.

1008. And there has been full work for you lately?—Yes.

1009. Judge OKUNEY.—How is the work apportioned among the transcribers?—Each party gets twenty memorials to transcribe, and as soon as he has that done he takes them down to the gentlemen in charge and gets more.

1010. Is the work given to the transcribing clerks in rotation?—Yes. We are all given work to do, but, of course, some get through more than others. There is an account kept showing who is next entitled to work.

1011. Mr. LANE, G.O. (Secretary).—How many transcribing clerks are there in the office?—There are thirteen.

1012. Judge OKUNEY.—Is there any other matter you have to bring before us in reference to this year memorial?—We would wish also to impress on the Commissioners about holidays. We are at present not

EVIDENCE.

AS II. 1880
Mr. John
Boswell.

EVIDENCE.

Feb. 17, 1886.

Mr. John
Boardman.

paid for the holidays—the only holidays in the office namely, Christmas Day and Good Friday. These are not paid for, and if the bank holidays and Saturday half-holidays were granted to the department it would deprive us of a large amount of our earnings, and we think we should be paid for these days.

1013. How are you circumstanced about vacation?—In 1874 we were granted three weeks' vacation in the year, but, in consequence of the increase of the work, we have not been able to get full leave since. Last year some got none at all.

1014. Do you get an allowance during the vacation?—Yes, our average pay for the three weeks; and we are also allowed three weeks' sick leave with the average pay. They make out our average earnings for a period of thirteen weeks, and pay us on that basis.

1015. Judge WALSH.—That is an inducement for you to attend there every day except the holidays?—Oh, yes.

1016. And if you do not attend every day you would not get this vacation?—Oh, certainly not.

1017. Who appoints you?—The Registrar. He has the patronage of the transcription department.

1018. Mr. LANE, Q.C. (Secretary).—And could he dismiss you now if he liked?—I dare say he could, but he would not do it without cause.

1019. Judge ORMER.—As I understand you, you get no allowance of any sort except payment per folio for the work which you do?—Nothing at all; and I think it is the only department in Dublin so circumstanced.

1020. Judge WALSH.—Do you get any remuneration for remaining there until the office has work for you to do—suppose there was no work for an entire day?—We are given nothing, and I have told you that in 1871 and 1872 we were walking about the room idle.

1021. Judge ORMER.—But Judge Walsh's question is this—Are you to stay in the office whether you are employed or not?—Yes; our instructions are to remain there.

1022. You give the day to the office whether you have anything to do there or not?—Yes.

1023. Mr. LANE, Q.C. (Secretary).—In 1871 and 1872 were there many of you walking about doing nothing?—It will give you an idea of how much work there was to do when I tell you that I had no salary at all one week.

1024. But were there many similarly circumstanced?—Yes; we were all about the same.

1025. Judge ORMER.—But that is all altered; you have full work now?—Yes; when the Church property is all settled we may have another term of slack time.

1026. Your number has been increased, I find?—Yes; since the holidays were granted we have got in one writer; but, notwithstanding, we have not been able to get our full holidays; and we would like, if possible, that we should be allowed into the office earlier and leave three later, so as to work off arrears, and enable us to get our vacation.

1027. You would be satisfied to work earlier and later in order to get your holidays?—Yes.

1028. Dr. ELLINGTON, Q.C.—What are your present hours?—From ten to four.

1029. Judge WALSH.—Has not the Registrar complete control over that?—Well, perhaps he would not like to interfere in the matter. I dare say he could allow us, but we never asked the question.

1030. Mr. FINDLATER.—But you would require to have access to original records and documents?—Yes; at they are always looked up in our room.

1031. Judge ORMER.—Would that not inconvenience other persons in the office?—The gentleman in charge of the room at present might come there a little earlier and remain a little later.

1032. What class clerk is he?—He is on the staff of third class.

1033. Is it your opinion that you could not get your holidays without that sort of extra work?—Cer-

tainly not, unless we got in extra hands; for the work is there to be done, and it must not go beyond sixty days, I believe.

1034. Mr. ARMSTRONG.—Have they written a separate department of their own?—Yes, a separate room.

1035. And is there any clerk evening that?—Yes, a third-class clerk; and if that gentleman could come in a little earlier and remain a little later, he could look up the room as at present.

1036. Judge WALSH.—I suppose you would be satisfied if you got a small salary in addition to your payment per folio. Would that obviate what you are now asking us to report upon—namely, extending the hours for your work?—No; it would not effect the keeping down of arrears in any way.

1037. Judge ORMER.—Should it not be arranged by having your holidays at different times?—Now only one is allowed away at a time.

1038. Mr. FINDLATER.—You complain of the rate of payment you receive, and say that there is more paid to clerks in scrivener's offices?—I have had no experience in that matter myself, but from what I heard in the office I believe solicitors generally pay three pence per folio for what we transcribe at a penny halfpenny.

1039. I do not know that solicitors pay 3d. for engrossing on parchment, and not for the materials, which I apprehend would be like your writing on parchment, engrossing you know is a much slower business. Our writing is of a very superior style to that of the materials we get into our place. Our writing is equal to engrossing, whereas the materials are written in a most careless manner.

1040. Dr. ELLINGTON, Q.C.—Have you room enough in your office for the clerks that are employed in your department?—Yes, quite room enough—we have a very large room indeed; none of the best and finest rooms in the building, it is a second room, all stone and iron.

1041. Mr. ARMSTRONG.—What duty does the third class clerk who is told off to attend in the writing department, discharge there?—He has charge of the stationery, the parchment, pens, and such like, and he also gives out the attested copies to be copied, and compares them with another clerk; there are two of them in the room, but one of them is specially in charge.

1042. Is it a fact that when a printed memorial of a deed from the Landed Estates Court is brought into the office, the first act is to write it out in manuscript?—Not the first act.

1043. Is that one of the stages?—It goes through all the stages of registration before it comes to us, and then we transcribe it.

1044. From print into manuscript?—From print into manuscript.

1045. Mr. MADDEN.—That cannot be helped from the way the books are now, by the statute, obliged to be kept?—No.

1046. Mr. FINDLATER.—You spoke about getting paid for the headings and endorsements irrespective of the length?—Yes, we think that we should be allowed two folios as before.

1047. Irrespective of length?—Yes, as was formerly allowed.

1048. Dr. ELLINGTON.—Do you know when the alteration was made?—I cannot say, it is out of my own knowledge I said that, but from what I have heard in the office.

1049. Mr. ARMSTRONG.—Who counts the number of folios?—Each clerk must count the memorial and certify at the end the number of folios it contains.

1050. Mr. FINDLATER.—And is that checked?—Very often checked, and if there are over eleven words at the end over the folios, it counts a folio, but if there are only ten words we say that, it counts nothing, and again, if there should be a mistake in the counting, which is discovered in the checking, 3d. is taken off.

1051. Judge ORMER.—Is there anything else you wish to state to us?—No, I think I have gone through all my notes.

FEBRUARY 19TH, 1880.

Mr. WILLIAM HENRY ADAMS EXAMINED.

EVIDENCE.

Feb. 19, 1880.

Mr. W. Henry Adams.

1032. The Vice-Chancellor.—You are manager of the Queen's Printing Office, Mr. Adams?—I am the business printer.

1033. I believe you have been for a great number of years employed in that capacity there?—For thirty-six years.

1034. The Secretary has furnished you with some documents that purport to be copies of a day's work of registration in the Registry of Deeds Office?—Yes; I have been looking over them.

1035. The first of these documents contains the Abstracts of in or about sixty deeds, which averages about a day's work in the Registry of Deeds Office, and a proposition was laid before us, and has been under our consideration, that by adopting printing the work of the department would be greatly expedited—some of the books to which it was thought it would be feasible to apply it being this Abstract Book. It is kept in the office—at present it is made out there, but in future it would be copies of documents brought into the office. That, as you are perfectly aware, is the foundation from which the indexes are made, and, in reality, is the foundation of the whole system of registration in the office. This (book produced) is the proposed form of the new abstract?—I have looked through it.

1036. The first thing that should be done would be to print that (Abstract Book) as expeditiously as possible, so as to have our day's work, if practicable, done in the course of the following day. The next thing that would be done would be to construct from it an Index of names—that is, the persons described in the grants in each abstract would have to be introduced alphabetically in the Names Index (produced by reference to the book); and the third document to which it was thought printing might be applied was the Lands Index—an index constructed by analogy to the Names Index, except that it is proposed that a set of books should be kept, in each of which a folio would be opened with the heading of a particular township, and then whenever you found three or four townships in an abstract each should be introduced in this index under its own heading. We are told that on an average there are sixty deeds registered daily, that there are five townships in each deed—that is about 300 in the day's work—and that there are about three grants, that would be about 180—each one of which would, or might, require a different impress. Now, first let me ask you, have you ever had anything to do with printing in bound books, or have you considered the project at all?—I never saw it carried into effect, nor heard of it; but I have studied the subject since these papers were put before me.

1037. And, in your opinion, is it a feasible thing?—Quite impracticable—not capable of being carried out to the extent that you would require.

1038. Would you kindly state your reasons for that?—From what I have heard, I presume it is proposed to carry out the project by stereotype plates.

1039. Yes?—Well the first impression of a stereotype plate is always imperfect, and when you give a man a plate to print from he has first to take a trial impression. He then sees where it is unequal, and so manipulates the plate as to bring up the impression. It occupies a considerable time to get the impression even and regular, and fit to print. How is that process to be gone through in a book? If you brought down an impression from the stereotype plate into a book, and that it was imperfect, so it necessarily must be, how would you remedy it? Again, one of the most difficult tasks you could give a printer is to ask him to print a line into a document already printed,

for the slightest stir drives it crooked. As I understood the matter to be inserted in, or printed into, these books should not only be in a particular page, but in line and in tabular form?

1040. Exactly?—A man would have to fit the type accurately, and he could not do that without trying it, and then when he brings down an impression it might be faint, or a miss, or irregular—how is that to be got over? Ink, then, is of an oily nature, and it would be sure to blot when the book was closed again. You put this book (Abstract Book) through the press 300 times a day, I calculated, and I leave you to conjecture what state the binding would be in after that. No book that I ever saw would stand that process—repeated every day for a year—no matter how well it is bound. In a merchant's office a day-book or ledger, with careful treatment, is injured in twelve months. Again, the most intelligent mechanic you could put to the work would be liable to continual error. How could he know where the name of "Andrew" or "Arundell" was to go, for instance, in this book (Names Index)? The printer is a mechanical—in-telligent, no doubt—but he is not fitted for that work. You must have a skilled person beside him to point out the exact place where the particular impression is to be put, and if he makes a mistake, and the party by him makes a mistake, how are you to remedy it? The wrong thing has been done, how is it to be undone when you are working on a book? These are the most tangible objections that occur to me.

1041. As to the blotting of the ink, could that be avoided by putting in slips or pads of blotting paper?—You could not do that when you are handling a book so many times! Say that one printing is on one page, and another on the next, and what would be the effect? This (Names Index book) is what we call tabular work—it is in columns, and each column should fall exactly and in line. Leaving books out of question for the moment, and supposing you were printing on sheets of paper, it would be almost impossible for any man to keep the work day after day in column. It would be irregular, and present a patchwork appearance; in fact, writing would be far preferable. Those are my opinions from the amount of consideration I have been able to give the matter, and from my own practical knowledge. They are also the opinions held by the practical men in our establishment whom I have consulted since Mr. Lane gave me the papers. The fact is, if you attempt it it will end in disappointment.

1042. Those objections would not apply to the Abstract Book—that could be easily printed, because, in the first place, it might be printed in sheets?—There is no printing you require on sheets that could not be accomplished. But there is one objection I have to make. You said the work should be ready the next day; that would involve night work, and the work being of irregular extent—not like a newspaper of so many pages—when it came in in a rush you would require more men than when there was less of it, if each day's work must be ready next morning. When this was submitted to me I entered into a calculation, and I think that if you gave Tuesday's work at four o'clock that day it could be delivered at eleven o'clock on Thursday. That would allow us one day.

1043. And could that be done without any night work?—Yes. When, for instance, we get a Landlord Estates Court conveyance—unless it is particularly heavy—all I ask is one day to complete it; and what I see here as a day's work in the Registry Office, could easily be done in one day and delivered the next morning.

EVIDENCE.

Feb. 18, 1890.

Mr. W. Henry Adams.

1064. Going to you at four o'clock on Monday it would be ready on Wednesday morning.—Yes. Having a large number of men at our disposal, if a greater quantity than usual came in, we could turn them from other work on to it.

1065. Do you think it would be advantageous to have a staff of printers specially employed in the office for doing that work?—In a printing office, or in the Registry of Deeds Office?

1066. In the Registry of Deeds Office?—There are several objections to that. First of all, you would have to employ a staff of printers and readers, and then the only occupation for that staff would be this particular work. Work of this description is all done now under contract, much cheaper than you could do it in that way.

1067. What would be the staff required for printing a day's work—the average of which I have mentioned—in twenty-four hours, in the Registry of Deeds Office?—That would be a matter very hard to calculate. The expense of printing this (*Abstracts*), if it came into Messrs. Thorne's under the contract, in rough figures, would be about £3 or £3 10s.

1068. That is for tabular printing?—Yes; this printing (*Abstracts*). But if you do it in the Registry of Deeds Office, you would require to have the whole resources of a printing office there for that work alone, whereas, in a contractor's office, it dovetails with other work. When the men are not fully employed with that, they have something else to turn to. There is a difficulty in this tabular matter, which it is rather hard to explain. In dealing with ordinary matter—say that column (*"The Cavalier's First Regret"*), one man sets so many lines, another so many more, and a third so many more, then all are put together, printed and read; but, in tabular matter, the longest column must be set first, and is found to take say twenty lines; that is put to one side, and then the man has to "build up" the other columns to the twenty lines, to make a perfect square. That is the difference between tabular and plain printing. In ordinary printing you can put ten men on a hundred lines, giving them ten lines each, and when each "take" is joined, all is complete; but in dealing with tabular matter, after it is all set, you have to wait until the man does this "building up" process. So you see you could not have a certain number of men for it—you must vary the men with the work, and that could only be done in a large establishment.

1069. Could you form any idea as to the establishment that would be required if it were thought desirable to print the *Abstracts* in the Registry of Deeds Office?—I should say it would take about eight men, a reader and a manager. Then you should have a separate press and a pressman.

1070. Did you include the pressman in the eight you just mentioned?—No. Eight compositors and a pressman.

1071. And a reader?—Well you might suppose the reader and the manager to be one person. But observe, the pressman would be standing all day idle, having nothing to do, until the work was all ready for press.

1072. What would be the fair cost per day for that establishment?—I suppose it would be about £3 a day for wages. Perhaps the best course would be to arrange with some master printer to send over a certain number of men per day under contract, just as the Board of Works do; when they want any carpentry work done for instance, they direct whoever they have contracted with to send men for as many days as they are wanted.

1073. But supposing the Registry of Deeds Office employed their own staff, what would be liberal wages for the men you speak of—first of all what would be the manager's wages?—I suppose you could not give him less than £3 a week, and 5s. 6d. a day is a compositor's wages.

1074. Would the expenses be greater printing it in the Registry of Deeds Office than by contract?—A

great deal more, because, as I said before, in a contractor's office a man's whole time is utilized—where he is off this work he turns to something else; whereas if you employed a staff in the Registry of Deeds Office you must maintain it up to what would be required for the heaviest day, and the men on a light day would be frequently idle.

1075. The difficulty that has been suggested in reference to printing this out of the Registry of Deeds Office is the altering documents on which, and on the accuracy of which so much depends, out of the control of the department?—But you would only allow the copies to go out, and that is done in the case of Landed Estates Court conveyances. There have been over 10,000 Landed Estates Court conveyances done in the Government Printing Office, and I have never heard a word of complaint about them. We have been printing these for the last twenty years, and the registered number is now 10,500.

1076. Could an arrangement be made in an establishment like yours to have a confidential set of men, and none others, employed in doing such work as this?—That is the way with these conveyances, which suggest themselves to me as being somewhat similar to this work. A locked bag goes down to the court each day. I hold one key and the officer of the court another. The conveyances are put into that bag, and the bag is locked. When brought to the office I open it, take out the conveyances, give them out to the men, and send down the proofs, when ready, in the coat in the locked bag. That is the only plan I could suggest.

1077. As to the "reading" of these conveyances, do you employ any particular class of skilled men for that work?—They are given to our superior readers. We have several grades of readers, and this work is given to men who well understand it. That is necessary, as different types must be used in different parts of the conveyance. Portion of it is in Italian, and the grantor's names are in Egyptian—that is black type. They must all be carefully read by men on whom we have dependence.

1078. And I suppose there would be no difficulty in getting a man fit for that work in a department like yours—to read the proofs of an abstract book?—I see no difficulty about that at all. It only requires time and patience.

1079. Would it be possible to pull a proof and send it for comparison to the Registry of Deeds Office?—That is what we do with the Landed Estates Court conveyances. A proof goes down to the Landed Estates Court. It is compared by the solicitor and certified. Then it comes back to us and is printed as parchment.

1080. Mr. LAKE, Q.C. (Secretary).—Then the comparison is entirely done in the Landed Estates Court?—The solicitor is responsible for the deed, but we compare it first by the process of reading, and we would be astonished to find, when it comes back from the solicitor, that any error had been discovered in it—that is, any typographical error.

1081. Dr. BARNES, Q.C.—You have very good "copy" for that?—The draft conveyances are good, but the alterations are frequently indistinct and difficult to read.

1082. Judge ORMERBY.—I suppose you get what is called a fair copy?—Yes, but the alterations are sometimes numerous. The scrivener's copy is fair, but the difficulty arises when solicitors' alterations are made on that. However, the men, from long practice, are as fair at it.

1083. Then the course is, I believe, that the conveyances, as finally printed on parchment, is again compared with the draft?—Yes, that is done by the officer of the court, to guard against any error occurring between the proof and the engrossment.

1084. The VICE-CHANCELLOR.—Then there are three readings—first the proof is read by your own reader?—Yes, read and revised, so that it goes down to court as near being perfect as we can make it.

1085. Then it is compared there!—Yes, by the solicitor.

1086. When it comes back to you as approved of?—Yes, and expressed on parchment.

1087. And then it goes down to court, and the final comparison is made by the officer of the court?—Yes, to prevent the possibility of a change between the solicitor's proof and the engrossment.

1088. Judge ORMER.—It is certainly astonishing how very seldom we find error.

1089. The VICE-CHANCELLOR.—Would it expedite matters if there were a number of transmissions in the course of the day, as the documents came in?—Certainly; then you could keep the men going steadily on.

1090. Would it make so much difference as to enable you to have them next day?—I don't think that would be practicable, unless the men worked at night, and men working at night by gaslight, and in a hurry, could not do it with the same accuracy as men working in the morning and day. To insure accuracy there should be comparison.

1091. When you speak of having this printed next morning but one, that would include any number of copies?—Certainly. The difference between six and twelve or twenty would not be more than quarter of an hour. As I stated shortly, the first process is what we call "making ready." You take an impression, find it is light here and there, and when these defects have been remedied, and the type made ready, a man is supposed to be able to print 250 impressions in an hour, or 300, according to size.

1092. Does that process of "making ready" apply to ordinary letterpress printing as well as to stereotype?—To everything. It does not come up fair to the eye on the first impression, and stereotype is much more troublesome to deal with.

1093. I suppose there would be no difficulty whatever in securing that any proof printed for the purpose of experiment were all destroyed afterwards?—Not the slightest. We take every precaution in dealing with documents of a confidential nature. As you are aware, a large number of confidential papers pass through our hands, and what we do is this—when the first proof is pulled and read it is given to be revised, and then the old proof comes back with the revise, which is destroyed. There is no danger of confidential documents going out of the office.

1094. There is another document kept in the office that the public depend upon a great deal. While the abstract book is being got ready there must necessarily be an interval, according to you, of a day—Monday's business would not appear until Wednesday morning, and in the meantime it is necessary to search down to the latest moment. Suppose a deed was to be caught in on Tuesday on which £30,000 might pass. The security of that fund would depend upon no other deed having been registered in the meantime, there must always be something kept in the office that would be capable of reference to the last moment, and what is at present done is—there is a day sheet, which gives the day of the week, the hour and time of receiving the deed, the grantors and grantees, the quantity, and so forth, and that is all filled up as the deed comes in. Would there be any possibility, without night-work, of printing that, so as to be ready next morning?—There would be no difficulty in having that at ten o'clock next morning—a small thing like that.

1095. Mr. LANE, Q.C. (Secretary).—You know there would be about sixty of these divisions—each of these is a deed?—It would not extend over two large sheets of paper, and the matter could be supplied by instalments during the day. Then you would have from four o'clock until ten o'clock next morning, by which time it could easily be completed.

1096. The VICE-CHANCELLOR.—From four o'clock to ten o'clock? Do you mean that it would involve night work?—I don't think it would, except on extraordinary

pressure. You could from four o'clock until ten o'clock or eleven o'clock next morning easily accomplish that.

1097. It would greatly facilitate you if there were periodical transmissions during the day?—Yes; if you had, say three deliveries of the copy, the first at one o'clock, the next at three, and the final at four o'clock, it could be set up as we receive it, and have the entire delivered next morning at ten o'clock. I see nothing to prevent that.

1098. If an arrangement were made by which the receiving of deeds for registration were to stop at, say three o'clock, that would give you an hour additional, and facilitate you still more?—Yes.

1099. Was there anything else that occurred to you, Mr. Adams?—No, nothing else.

1100. Dr. ELLINGTON, Q.C.—Are you aware of any process of printing by introducing something of the nature of a carbon sheet, such as they use for unaltered writing, between the type and the paper?—We never practised that.

1101. But do you know there is such a thing?—I have seen it in the stationers' windows.

1102. That is for use with a pencil?—Yes.

1103. But you have never seen it used for printing?—No.

1104. Now as to the question of ink. We all know that there is a difference between printing inks, that there are some that dry very fast, and others that take a longer time?—Not very fast, but there are some that dry more rapidly than others.

1105. It may be used hot, for instance—of course I know that there are objections to that, such as that it spoils the type?—We have never had occasion to use it.

1106. But are you of opinion that practically you could not use an ink for printing into a bound book that would not unbind?—I don't think printing in a book practicable at all. It is very easy to get up a specimen and to work into it here, but there is a difference between that and having a number of men employed at it and printing in it day after day. And then there would be the destruction of the book. How would you get over the difficulty I have mentioned of remedying an error, once the error has been printed into the book? We find that with the greatest care and with the most intelligent men, it is impossible always to avoid errors; and if we have a misprint in a conveyance, it involves the destruction of the sheet or skin of parchment; but if there be a misprint in a book, would you destroy the whole?

1107. Mr. MADDON, Q.C.—Are you aware that there has been for years past every effort made to invent some process for printing into books?—I have not heard of it, and I cannot see the utility of it.

1108. Are you aware that every effort was made to accomplish that, for the purpose, for instance, of printing into catalogues of libraries, from time to time?—No, I never read anything of that at all. All the additions to catalogues that I ever knew of were either by slips or by the addition of pages. As I said before, the most difficult work you can give to a printer, is to print an additional line into a document already printed—that is, to bring it up square and straight to the printer's eye—immediately after the line already printed.

1109. Would the use of parchment books increase the difficulty or facilitate you?—It would increase it considerably. Parchment is of a gross nature, and the ink might take in one place, and not in another, and that would involve the destruction of the sheet of parchment. But, again I ask, how would you remedy it in a book?

1110. One great objection to printing in a bound book is the blurring?—And the destruction of the book; I cannot see either how you would bring it all in line; if you give a sheet of paper to a man to print one line into it, it is difficult enough. He takes a sheet of paper, tries a black impression, and if it is

EVIDENCE.

FIN. 27, 2-6.

MR. W. HENRY

Adams.

EVIDENCE.

Feb 12, 1898.

Mr. W. Henry Adams.

as he requires, the type is then inked and a proper impression taken.

1111. Then I may assume that blurring is a great difficulty to be overcome—I can only give you my practical experience—that I have handled 10,000 conveyances in my time; I don't touch these for twenty-four hours after they are printed, and I have to fold them up with the greatest care, handling only the outer portions that are not printed on, for if my hand rubs the ink it may blur, and that after twenty-four hours.

1112. You have got great experience in the printing of Landed Estates Court conveyances; are you aware that the printed deeds in the Registry of Deeds Office are very much blurred?—I don't know how that is; they leave our office perfectly clear. It is the memoranda you speak of, and they are equal to the deeds; they are printed on prepared parchment, and if you stop up to our office at any time, you will see them as clear and perfect as possible; but if they are taken up, folded carelessly, and put into a coat pocket of course they will be blurred.

1113. The result is, from no matter what cause, that in the samples we have in the Registry of Deeds Office, they do appear, in a great number of instances, blurred?—That is a further support to my argument.

1114. But I am asking you whether it is in the fact or not?—I don't know; but I can assure you that the memoranda leave us perfectly clear.

1115. You have not seen samples of Landed Estates Court Deeds stored in the Registry of Deeds Office?—No.

1116. Is not there also great danger of the pages of a book sticking together when printed into?—Certainly; if you have the slightest pressure at all they will "set off."

1117. Is it possible to prevent the pages of the book sticking together when printed upon?—They may not stick together, but they will blur.

1118. The Vice-Chancellor.—But suppose a sheet of something like blotting paper were introduced?—It would prevent it sticking, but it will spread the ink.

1119. Mr. Munroe, q.c.—As to the mechanical difficulty of printing into bound books, if you go to print in a bound form, would there not be enormous difficulty in getting the space all to fit?—That is what I stated some time ago. To make a form like that, all fair, would be very difficult, and each time a line would be added, the slightest divergence one way or the other would make the whole thing of a signing appearance.

1120. And suppose you wanted to print in an entry at the bottom of a page, and that the space was not large enough, would not you have to break up the type and go through all the process again?—You would carry it over to the next page; you could not divide it. You must either do that or put up the type again.

1121. Assume that there was to be a staff up in the Registry of Deeds Office, would you tell me what staff would be required, not the number but the character of the men?—A foreman or manager, and then so many intelligent compositors, and a boy to attend them, and a pressman.

1122. And you would not require readers?—The question is whether the manager would undertake that. He would not have sufficient work also to occupy his time, and I suppose the manager and reader could be combined in the one person. But these are questions that a very little practical experience would show what would be required.

1123. In your impression, however, it is not practicable to do it?—To do what?

1124. To print into books?—It is the most visionary scheme I ever heard of.

1125. The Vice-Chancellor.—One great object of course in printing upon parchment in the indexes in the Registry of Deeds Office is durability; they get a great deal of handling. Of course you have had a great deal of knowledge of different kinds of paper. Is there any paper that would at all approach, in point of durability, parchment?—Yes, there is what we call

hand-made paper, and there is paper used of a very superior class in the Department of Births, Deaths, and Marriages. It is a very superior class of paper, and would insure all that you want.

1126. This might be done. There might be one copy kept upon parchment as a permanent record, and the other copies for common use might be printed on paper?—Yes, there is no doubt about that.

1127. And a paper as durable, and that will last as long for all practical purposes?—Yes, the paper that they use in the Department for Births, Deaths, and Marriages is just the kind that would suit.

1128. Mr. Munroe, q.c.—Are these books in the Department of Births, Deaths, and Marriages much used for searching?—I don't know; I brought a sheet here to show you. This (produced) is an index which they have prepared quarterly, and all persons searching have to do is to look up there, and then turn to the book, having got the reference in the index.

1129. The Vice-Chancellor.—This is a Name Index?—If you got up an index like that every quarter or every year, you could easily estimate what length it would run to. Upon each of these pages there are 375 lines. There are four pages, and that makes 1,500 in the four, and by that means they get through all the births, deaths, and marriages in a very small space.

1130. Mr. Munroe, q.c.—But would absolute waste of that paper be of sufficient durability for frequent handling?—You can see that for yourself.

1131. I am asking you as an expert?—It is a very superior paper, as you may observe.

1132. The Vice-Chancellor.—That is not printed in a book?—No, it is not; it is on a sheet of paper.

1133. It is not printed into a book?—No; I never saw the thing attempted.

1134. But that could be printed on sheets, and afterwards bound up into books?—That is the way it is done in the department to which I have referred. An index on that plan could be printed very rapidly, and be got ready for use in a very short space. That is printed quarterly, immediately after the quarter's completion, and it gives, you see, the volume and page, and every information required.

1135. Do you know whether these quarterly indexes are afterwards consolidated?—I cannot say. The quarterly is recent; formerly they were printed yearly.

1136. Have they consolidated the four quarters into a year?—No; for '79 they would have to search four volumes, but they have this counterbalanced by having each quarter's book to consult during the year.

1137. Mr. Lang, q.c. (Secretary).—Is that index in dictionary order?—It is strictly alphabetical.

1138. The Vice-Chancellor.—Is it to the second or third letter?—It is strictly dictionary. An index prepared under that plan would give you greater facility than any printing in books. The way they prepare them for us is:—They write these down on slips—short slips, fastened at the top—and in perfect order to be printed from.

1139. Do you know anything about their mode of checking?—No.

1140. How do they check the accuracy of them when once prepared?—By the book. I see the tick marks on the slips. They are narrow slips which are first copied out, cut up, and checked, and then afterwards they are checked again in the proof. This is a communication of a confidential character, the same as the conveyances from the Landed Estates Court. They come down to the office in a leather bag which has two keys, one in the Registrar-General's office, and the other in his place.

1141. Mr. Lang, q.c. (Secretary).—I showed you a little press here one day (Mr. Deffen's). Did you look at it sufficiently to be able to form an opinion about it?—Yes; it was very ingenious, and in the hands of a clever person might produce some apparently satisfactory specimens; but in hands of the ordinary

workmen, and subjected to everyday work, would, I apprehend, very soon go to smash. Our presses are all of iron, and even then they get out of order occasionally.

1142. Mr. MADDER.—Now, as regards your statements as to the impracticability of doing this work, I have one or two questions to ask you. You state that the first impression you take from stereotype is not clear?—Yes.

1143. Would there be any difficulty in testing the stereotype block before beginning to print into the book with it?—When our text is made previous to printing, it is always on paper as nearly as possible of the same thickness as that on which the printing is to be done. How can you do that with a book? And then there is another difficulty. All printers print upon damp parchment or paper, and the book would be perfectly dry. Even the parchments for conveyances are damaged—that is, they are put in damp paper.

1144. That I understand to be a separate objection—one arising from the difficulty of printing on dry parchments or paper in books—in addition to what you have told us already?—It has cropped up now.

1145. But whatever you are going to print your stereotype block into, could you not make a trial on the same substance before you began to print into your books, to be dry or wet?—You could have a smaller book to try it in.

1146. But if you tried it on a similar substance and got a perfect impression, would that objection vanish?—I don't think that you could carry it out in the way that you suggest. It is the reverse mode of printing, and you could not try it in the same way. You would not have the same power over it that a man has in printing from the press.

1147. Lieut.-Colonel MARTIN, R.E.—Could you not slip in a piece of paper on the top of the page you were going to print into, and try whether the impression is perfect or not?—You might do that, but still I think my grounds hold good—that the chances are that the trial would be imperfect. But the strongest objection is, how would you secure the accuracy of the insertion in the spaces you marked out?

1148. Mr. MADDER.—That is, having regard to the fact that they are in tablet form?—Yes, how would you secure that a working man would put "Brown" in exactly the place that you want it.

1149. We must take these objections separately in order to clear them up. First, you ask "how would you take care that your entry comes under the proper name?" Now, that is done by a skilled officer in the Registry of Deeds, and in the substitution of printing it was not proposed to leave that work to the compositor or printer; so you may eliminate that part of your objection, and assume that there will be a competent officer to direct the printer, and to take care that he is shown the exact place where the entry is to go?—Then you would have a skilled officer standing beside the pressman while he is working.

1150. Assume that for the moment—then your objection resolves itself into this, that given an entry to be made under, say, "Brown," the printer may put it in the wrong part of the page?—Yes.

1151. Have you seen Mr. Dillon's process tried as to making the entry on the exact spot required?—I glanced at it curiously; it works on a sort of transverse, the regulator. It is all very well to ask a man to do that once in a way, but when you put him to do it for a certain number of hours a day, and keep him at the one thing day after day, then there is a liability to err.

1152. In answer to Mr. Lane's question as to Mr. Dillon's little press, which you saw here, your chief objection was that it would be liable to destruction?—It was a wooden press.

1153. But we are not trying the model—it is usual to make a wooden model, is it not?—Yes.

1154. Quite so, and we are seeing whether the objection goes to the principle—your objection that it would "go to smash"—to use your own words, is founded on

the fact that it was made of wood?—I have seen no other.

1155. But there would be no difficulty in making the press of iron?—No.

1156. And you don't know—not having seen it worked—whether it would do the work or not?—The machine will do a certain thing, but it requires a guiding hand, and that is liable to err.

1157. And you said an amateur might do the work, but that a skilled man could not?—A careful man might do it once or twice before you; but put a man to that, day after day, and hour after hour, and the liability of error comes in.

1158. Surely that is contrary to our every-day experience. Is it not the fact that the more frequently a person does a thing, the greater is the accuracy and precision arrived at?—Working at a press is a purely mechanical operation, but by this process you propose adding an intellectual element—requiring that the man should print a particular entry under a particular name, which he is to discover.

1159. The intellectual operation is the putting of the entry under the right name?—Yes.

1160. But, assume that the pressman is not to see what name the entry is to go under, but that—given a certain name—he is to print the entry in a place pointed out to him; surely the longer a man works at a process of that kind, won't he be able to put it in the proper place with the greater accuracy?—I don't follow you clearly.

1161. Here is the name of a townland—Drungriff;—that block represents the entry that is to be struck in—the intellectual element, as you call it—(that entry being on a block of stereotype) is to know under what townland it is to go?—Yes, and a man might, by accident, put it in another page.

1162. Assume for the moment that the pressman has nothing to do but to print it into a certain place pointed out to him?—I never contemplated a skilled officer being beside the pressman; that would make the work very tedious, and add another difficulty.

1163. I know you did not; and the only thing for the printer to do, having a direction of that kind, would be to put it in the proper place; do you see any difficulty with Mr. Dillon's press, in putting such an entry in its proper place in consecutive order?—No, when he has a properly skilled man beside him, but the difficulty would be doing it in a proper, workmanlike way.

1164. What do you mean by that?—We'll say that you have three or four abstracts on a page, the difficulty would be to put in the next exactly straight—accurately in line. The slightest variance would make the thing unworkmanlike. If I saw a page printed out of line in that way, I would say it was spoiled; that is, because my eye is educated to see everything symmetrical.

1165. But the longer a skilled workman is employed at that particular work the more perfect he will arrive at in the work of printing the entry symmetrically under the heading required?—A book could not be held with the same accuracy as a sheet of paper. I could easily take a sheet of paper and bring it to the proper gauge, but how could you take a book, put it under the press, and bring it so that the press will print into it at a given place accurately? These bound books are, I think, with spring backs, and the surface presented in the press would not be even. Again, take it that you have an entry to make on the third or fourth page, another in the centre of the book, and a third in the end of it, there is a different basis for each printing.

1166. Have you seen the process by which Mr. Dillon places his book for printing?—Yes, and he does not bring the book to a flat surface. A bound book, and especially these books with spring backs, cannot present a flat surface. That is what I had in my mind.

1167. Lieut.-Colonel MARTIN, R.E.—Does not Mr. Dillon's press hold the page to be printed on with those under it, fast in the press, and the other

EVIDENCE.

Feb 28, 1891.

Mr. W. Henry Adams

REMARKS.
Feb. 18, 1880.
Mr. W. Henry Adams.

portion and cover of the book upright at an angle—
Yes.

1148. Mr. MADSEN.—Have you seen Mr. Dillon's press worked?—No; and I am going not by his press, but by my own practical knowledge of printing and paper.

1149. Mr. LANE, *q.c.* (Secretary).—When you were speaking of printing that abstract book daily, would you do it by stereotype or plain type?—By type.

Stereotype is only used for books in great demand, except in the case of newspapers, to which different considerations apply. The object and utility of stereotype are to meet the cases of works likely to be reprinted, such as National school books or arithmetics—when you get an edition printed, and another supply is required, the stereotype plates are ready without any recasting, but for small numbers movable type is used.

Feb. 23, 1880.

Mr. John J. Matson.

FEBRUARY 26, 1880.

Mr. JOHN J. MATSON examined.

1170. The VICE-CHANCELLOR.—You are second Assistant Registrar in the Registry of Deeds Office. How long have you been in the Office?—Since 1881.

1171. And how long Assistant Registrar?—I have been Assistant Registrar since 1870.

1172. In what capacity did you come into the office?—I came into the office in Mr. O'Connell's time, when he was the head of the department. He had the patronage in his own hands, and appointed the staff, generally, and the general body of clerks. I came in then, and was immediately appointed Assistant to the chief clerk.

1173. What was the first work you did in the office?—I commenced to transcribe memorials and find out all about the business of the office. After that—in a short time—my duties were principally in connection with the chief clerk, and the supervision of the office to a great extent. That is after I had made myself acquainted with all the duties of the department. I was one of the three clerks appointed by the Act of 2nd & 3rd William IV., c. 87. In 1837 our titles were changed, we were called first class clerks; but we were originally clerks under the Act of William. There were three clerks appointed under that Act—I was the second clerk, and Mr. Ray the first.

1174. There are two Assistant Registrars—yourself and Mr. Ray?—Yes.

1175. What are the respective duties of the two?—Our duties are precisely similar.

1176. Do you divide certain duty between you?—No; only one can be on duty at a time as regards the inspection and registry of deeds, but while Mr. Ray is receiving deeds, I am signing certificates, or giving directions with regard to the general arrangements of the office.

1177. Does the Registrar himself receive deeds for registration?—Occasionally. It has so happened that the two Assistant Registrars have been absent ill, and Mr. Dwyer then takes the duty, or if I have to take a good deal of duty elsewhere, Mr. Dwyer then gives me a day, and receives the deeds himself.

1178. The only persons in the office who can receive deeds for registration are the Registrar and the two Assistant Registrars?—Yes.

1179. What is your idea of the accommodation afforded in the office where the deeds are received?—It is simply wretched.

1180. Just state the defects please?—Formerly the arrangements were much worse than at present, for the office was divided in two—a corner passage ran down that room where we now receive the deeds—and there were counters at either side, the public being confined outside therein in a small space of about six feet by three. After a good deal of correspondence, we got the Board of Works to reconstruct that room, or to alter the fittings, and arrange it as at present. In fact, I suggested what should be done, and gave them a plan, but they did not carry it out in its entirety, or as we suggested. The part of the office where a solicitor has to stand, and give deeds is wretchedly small, and we suggested that they should come in at one end and pass out at the other, but we did not succeed in getting that done.

1181. Is there actual space sufficient to enable you to give proper accommodation to the public in the

place where deeds are received?—No. Of course, you could not enlarge that room. The only way that we could get proper accommodation would be by an increase in the number of rooms—taking in some portion of the premises now occupied as Probate Court Office. But, in fact, the whole building is imperfectly constructed for the purposes of a Registry, and it would require very extensive works and great alterations to make it what you would call reasonably convenient.

1182. The searching by the public is conducted in a different room from that where the deeds are received?—Yes; in a room of precisely the same size.

1183. And is there accommodation in it for the public using it?—No, not accommodation at all. It should be twice the size, and it should be a circular room, with the book racks immediately to the back of the attendants, so that no delay should arise in handing books to the persons requiring them.

1184. Is the accommodation for the clerks suitable and convenient?—I cannot say it is exactly suitable—the rooms are not so nicely furnished or as convenient as might be, but still they are considerable improvements on the former offices where they had to work.

1185. But are they sufficient for the purpose?—I think so.

1186. And are they convenient and suitable for the clerks?—I think they are convenient.

1187. What about the ventilation—is the ventilation sufficient?—It is, at present, I think very fair. The difficulty of ventilation proceeds from the fact that so many have to be satisfied. Some will be for ventilating the rooms more, and others would not. I don't think the rooms are unhealthy having regard to the attendance.

1188. Have you heard complaints by the clerks as to the atmosphere they have to work in?—Frequently, but I cannot say that they are well founded complaints.

1189. Are you aware that Sir Dominic Corrigan made a report some years ago about the office?—Certainly; and I saw myself that his suggestions were carried out; that is, as to the introduction of ventilating-passes. I had these passes put in the Library windows, and there are air-cases over them again. In point of fact, the ventilation in most of the rooms is as good as it is in any place.

1190. Mr. MELLOS, *q.c.*—Are you aware that Dr. Little has visited the place, and complained of it?—Both Dr. Little and Dr. Wyse have reported that the apartments occupied by the housekeeper and her family are not fitted at all for habitation.

1191. That is quite recently?—Yes; but those apartments are separate altogether from the office. Since that report was made, we have corresponded with the Board of Works, asking them to carry out the improvements suggested. They sent up an Inspector the other day.

1192. Mr. LANE, *q.c.* (Secretary).—Are there any holes for letting in the air at the bottom of the rooms at all?—There are, and there are ventilating-passes, and escape-holes both in the ceiling and in the corners.

1193. The VICE-CHANCELLOR.—In what rooms are

class 1—In the Library, the transcribing-room, and the rooms occupied by the clerks—seven on the top story. These are as good as are to be found in most public departments—as well ventilated and as well lighted.

1194. Is the private searching-room properly ventilated?—There is a great deal of ventilation there; but there are times when, owing to the crowded state of the place, the ventilation is not as it should be.

1195. Is not the ventilation very bad?—I would not say so.

1196. You don't spend any time in that room, I suppose?—I do not.

1197. And the persons who do spend most of their time there would be better able to form a judgment as to that?—Quite so.

1198. The books kept there are all written on parchment?—Yes.

1199. Do you think that the present system of heating the building is a good one?—So far as I am concerned myself, I always suffer from headache while the pipes are heated; but it is the safest plan for heating a department like that.

1200. That is, to guard against fire?—To guard against fire. I feel the effect of the hot-water pipes myself probably more than any one there, for I always get headache from them.

1201. I want to know from you are the transcribers an additional class of clerks in the office to the three classes of staff clerks?—Entirely.

1202. And under the present system is there any right of promotion from the transcriber class into the third or any of the other classes?—Not at all. They are only employed temporarily, and subject to be removed on a day's notice from the Registrar. They are employed by piece-work—paid so much a folio.

1203. Does it frequently happen that a number of men on the list of transcribers are without work there?—No. On the contrary, they have more work than they can do. The limit prescribed by the Act for the transcription of manuscripts is sixty days; and owing to a Treasury minute made some years ago—when the Treasury fancied they could make great changes, they passed a minute that, pending Mr. Dillen's experiments (he was experimenting on an index then), these transcribers should be allowed three weeks' leave of absence on pay, and three weeks' leave of absence for ill-health, in case they furnished medical certificates. They took advantage of that as a matter of course, and the thirteen men who were fully able to do the work within the prescribed time are barely able to accomplish it now. You see that makes a difference of about one clerk in the year. Before the issuing of that minute their absences were very few, and their illnesses much less than at present.

1204. Have the transcribers anything to do except transcribe manuscripts?—They have merely to transcribe the document put before them. It is there out and dry for them, and they have not to exercise the smallest intellect; they are even told how to do the headings.

1205. Do they copy the searches?—No. That is done by the staff clerks, or the writers that we get there recently.

1206. You have three classes of staff clerks at present—first, second, and third?—Yes.

1207. Do you think it would be to the advantage of the office if there were to be two classes only instead of three?—If the classification was altered, and you had only two classes, you must still have a third class, owing to the recent appointment by the Treasury of clerks of the lower division to supply vacancies in the third class.

1208. Then there are practically four classes now?—Practically there are.

1209. And of what does the new class consist?—Of lower-division clerks under the Playfair system; and they are in a different position from the third-class men in the office both as regards salary and annual increment.

1210. Are they appointed at a higher salary?—No; they enter at a lower rate of pay.

1211. Then the third class clerks?—You and their increment is deferred for three years, and is a smaller one; then they can ultimately only reach £290 a year, salary, and £100 a year good service pay; the £360 a year is duty pay, but they are entitled, under certain circumstances to another £100 a year, good service pay.

1212. Have they no right of promotion?—No right of promotion beyond their own division; they cannot hope for promotion to the second or first classes; first class clerks under the Playfair system would, enter at a higher salary, and go on to a very large salary.

1213. Mr. MANNING, Q.C.—Are these men on the permanent staff?—Yes.

1214. The VICE-CHANCELLOR—How many have been appointed?—Seven.

1215. How long have they been appointed?—Within the last month.

1216. Mr. MANNING, Q.C.—Does not that class of clerks exist in other offices too? in the National Education Office they have men of the lower division?—Yes, and they are to be found in most of the public departments at present, both in Dublin and London.

1217. Mr. MANNING.—Are they liable to be removed from one office to another?—Not so long as the office to which they were originally appointed has necessity for their services, when assigned to a department, they are recognised as on the permanent staff of that department.

1218. The VICE-CHANCELLOR—Then there are four classes of clerks, besides the transcribers in the Registry of Deeds Office?—Yes.

1219. Do you think that is a good system?—I am afraid I would not be right in offering an opinion as to that, because the Registrar has had correspondence with the Board of Treasury with regard to these appointments, and the Treasury have declared that they should send in these clerks.

1220. You have no opportunity as yet of testing how it will work?—No, it would be premature to do that yet.

1221. Judge WALSH.—Do you keep them to any particular work?—In a few years time, when trained, they must be put to discharge the duties now allotted to the first-class clerks in our office.

1222. Mr. MANNING.—Are there any clerks except these Playfair clerks, who will in future be available for promotion in the office, coming in to be promoted to the first class?—No, and they must do the duties of the first-class clerks, though they cannot be promoted to the first class.

1223. The VICE-CHANCELLOR—Would it be possible, having regard to the business of the office, so to arrange, as to appoint certain duties to clerks of the first class, certain other duties to clerks of the second class, and so on?—That would go into the whole system of the office, it would be utter impossibility, for instance, men will show much greater and be more intelligent than others, that is all they have to insure promotion and increased pay, some are better at a certain class of work than others; there are some men in the third class, who, for intelligence and judgment, are as good as men in the first class.

1224. In fact the business is now allocated to clerks totally irrespective of the class they are in?—It is so as a fact, and it must be so from the nature of the duties of the office, searching, indexing, and the making of difficult comparisons; these are the higher duties of the department. The proportion of the first class, to the other classes in the office, would seem to be unfair, they are now ten to forty five, or rather there are ten out of forty-five in the first class, and as a matter of fact, as I have already told you, men in the third class discharge the same duties as the men in the first.

1225. You stated that the only thing they have to look to in the third class as to duty, is to showing real and efficiency in the office, with reference to promotion.

EVIDENCES.

Feb. 26, 1899.

Mr. John J. Mann.

EVIDENCE.

Feb 26, 1890

Mr. John J.
Madden.

—does promotion go according to the efficiency of the man, or to seniority?—It is clearly laid down by Treasury minutes, and by directions to the head of the department, that promotion must be by merit and capacity, having regard to seniority.

1226. A man goes up by seniority unless he be unqualified to obtain promotion?—Yes, unless there are complaints for inattention, irregularities, or want of attention to duties that he has been placed in from time to time. There are some in the third class, probably now, who may not be fit for promotion, because of records against them.

1227. But take the case of a good man in the third class, according to the present system, in what time might he hope to get up to the first class?—I am afraid there are some of the very best men in the third class, and it would take many years before they get up to the first class.

1228. Doesn't that press very hard against them?—I cannot say that it is unfair, but to a certain extent it must chafe a man's exertions, or cool him in his work.

1229. Do you think that that could be remedied or amended by dividing those who now form the three classes, into two classes?—Yes, subject to such arrangements as the Board of Treasury might seem fit to adopt in making that classification.

1230. So as to give the men a greater chance of getting up to the first class?—Yes, in some branches of the Civil Service there are only two classes, and that intermediate stage in one department I don't understand, because a man fitted for promotion from the third class, ought to be fit for promotion into the first.

1231. Judge WALSH.—Could you divide the clerks in any way according to what you conceive to be the principal business, that is, giving the best or more difficult descriptions of work to clerks of the first class, and so on?—You could not, but there are a certain number of men of the third and second class, that are fit for promotion to the first class.

1232. But in suggesting a reorganization of the clerks could we have regard to the business they do?—Certainly not.

1233. The VICE-CHANCELLOR.—It would not be possible to arrange the business in the office so as that the first-class men could do all the abstracting, and the second-class men all the indexing, and the third class all the searching?—That would be impossible; if you apportioned the duty in that manner once a mistake in any department there would be a block, for a man would not go outside his particular province. When the office was paid by fees that very difficulty was found, and it was only when the clerks were classified, and the work done as now, in 1857, that the business of the office became more regular.

1234. Can it be said that any business in the office stands higher than another?—Well, the scrivency done by some of the staff clerks is different from searching or indexing.

1235. But putting aside the mere writing, could you say that searching for instance is a higher class of business than abstracting?—No, in point of fact they are all the same, because the man who searches, the man who abstracts, and the man who compares the day book are practically doing the same work as a man comparing an abstract upon a search, a man fit for searching is supposed to be fit for any of the duties of the office.

1236. And what class of business do you put scrivency to?—The first thing they are put to is attendance on the public, supplying them with books; they thus get acquainted with all the books in the office, and then they are put to writing into books, and in that way they are educated into the manner in which entries are made.

1237. Mr. MADDEN.—Making the abstract book is I suppose, the most skilled labour?—Not more so than making searches. A man that makes a common search has to go through the very same comparison as the man that prepares the day book.

1238. It is turning up the abstracts from microfilm?—

Well, in searching prior to '32, a man has to make these abstracts—he has to do, on such a search, the same class of work as a senior first class clerk.

1239. Mr. MADDEN.—Then you see no great use in classification at all?—There must be some reward for length of service.

1240. That is no reward, say, but for the duty to be discharged?—Including and searching and abstracting are the higher class duties.

1241. But a third class clerk is now put to any of these duties?—They are now.

1242. The VICE-CHANCELLOR.—Do you think there should be a certain period of probation before they are brought on the staff?—That is the principle of the present lower division clerks.

1243. They have a certain period of probation before being put on the staff?—Yes, one year's probation before they are considered on the staff of the department. And remember we won't have any more third class clerks.

1244. Why?—Because the Treasury won't give us any more.

1245. And how will the staff clerks be appointed?—The office is to be recruited from lower division clerks on the Playfair system. The first class in the office will have to be recruited, according to the Playfair system, from men who will have passed a superior examination, and have a higher educational standard.

1246. Mr. MADDEN.—And may not their training be in some other office?—It may be in any other office.

1247. The VICE-CHANCELLOR.—Has the head of the department in the case of probationers of that class at present the power of rejecting them as unsuitable?—He has, before the twelve months are out, unless they give evidence of intelligence, good health, and fitness for the position.

1248. If you find on twelve months trial that a probationer may not be fitted for the higher duties?—The head of the office must report against him.

1249. Judge WALSH.—And he has passed a competitive examination to get in?—Yes.

1250. The VICE-CHANCELLOR.—Do you think a competitive examination for a place among your getting efficient men?—I don't think it does, and I don't think such an examination "bull marks" a man at all.

1251. Mr. MADDEN.—Having regard to the very peculiar duties of this office, is it your opinion that the old system under which a man passed his whole time in the office was better than the Playfair system?—Yes, that is my opinion.

1252. Mr. LANE, Q.C. (Secretary).—Is it a test examination, or a competitive examination that they are taken in on?—A competitive examination in the lower division. They first pass a test examination, and then if successful in that they go in for the competitive examination.

1253. The VICE-CHANCELLOR.—At present your chief clerk is Mr. French?—Yes.

1254. And he with the assistant chief clerk, Mr. Fitzgerald, is engaged in comparing negative searches and certain office work?—Yes.

1255. The senior of the first class clerks, Mr. Day, is comparing abstracts?—Yes.

1256. The next in that class, Mr. May, is restoring old indexes and making corrections?—Yes, and that is a duty requiring great care.

1257. The next, Mr. Leyne, compares the day book and abstracts?—And that is one of the most onerous duties, the foundation of all work.

1258. Then we have Mr. Moriarty engaged on the Lease Index?—That is inferior work, but he held one of the three Treasury appointments. He was appointed direct by the Treasury, and was thrown into the first class upon the re-constitution of the office in 1857.

1259. Then the next four are employed in searching?—Yes.

1260. That requires considerable skill and care?—The same skill and intelligence and judgment as all the men before them on the list.

1261. And the next is the gentleman, Mr. O'Meara,

in charge of the public searching room and records?—That requires great probity, accuracy, and steadiness. It is a position of great trust. In fact, he is in the position of a Record Keeper, and in another department would have £760 or £800 a year.

1262. That completes the list of the first class, and shows that all the gentlemen in that class are engaged on the higher class of work?—Exactly.

1263. But there are men in the second and third classes discharging similar duties?—Yes.

1264. And do you consider that absolutely necessary?—We could not do the work of the office if we did not utilize the men to the best advantage.

1265. Now, complaint has been made to us of the impossibility of giving full vacation to the clerks?—Well, I don't think that they can complain of the vacation. I think that they have got very nearly the thirty-six working days, besides illness, and I think if you got a return of the attendance of the whole staff, you would discover that they got a very fair proportion of leave.

1266. Have you been obliged to withhold the ordinary six weeks' leave in consequence of the number of clerks being insufficient?—We have not been obliged to withhold the six weeks' leave; but they have been curtailed—they don't get their vacation all together, but they have got twenty-seven days together, and that is very near the thing.

1267. But it would be desirable to keep you up to the full staff, so as to be able to give the full vacation?—Most desirable. They are, to a certain extent, engaged at unwholesome work, handling and living among these parchments, and are fairly entitled to the fullest leave given in the Civil Service.

1268. As to holidays—you have only two now?—Yes; Good Friday and Christmas Day.

1269. Do you think it could be arranged with advantage to give a few more holidays?—I don't think that the profession or the general public would be inconvenienced by our getting the bank holidays as well. They are now, to a very large extent, general holidays.

1270. Do you think there would be any objection to closing the office on Easter Monday and on Whit Monday, and the day after Christmas Day?—I think not. In point of fact, the men got St. Stephen's day and Easter Monday now, but they want out of their thirty-six days' vacation. On these days we only retain a sufficient number to make the current entries. But you mean that the office should be closed altogether?

1271. Yes?—I don't see that these few holidays could inconvenience the public; and, in my opinion, it is only fair that they should be given in the Registry of Deeds as in other public departments.

1272. Do you think there would be any inconvenience in closing the office at two o'clock on Saturdays?—I think, judging from the quantity of business that comes to us after the courts close, and from other offices, that it might be an inconvenience to close earlier on Saturdays; and with regard to the Saturday half-holiday, if I may give my individual opinion, I don't think it an advantage. I would rather be inclined to give a man a day's leave when it is wanted for any bona-fide object, but in the winter time of the year—more especially, the Saturday half-holiday is not at all conducive to the regular working of a department.

1273. And would you be opposed to giving the Saturday half-holiday on that ground?—If I had seen of my own in the service, I would rather he was at his office in the winter time especially.

1274. You think there are temptations?—Yes, it is a great curse, I think.

1275. Mr. MELBOURNE, Q.C., M.P.—That objection applies though to the Saturday half-holiday in all departments?—Yes.

1276. And not specially to the Registry of Deeds Office?—I give it as my private opinion that the Saturday half-holiday, as a general rule, is not of ad-

vantage to the Civil Service, and at the same time, I say a man in the Civil Service should get as much leave as possible, and as frequently as possible, for domestic purposes.

1277. Do you think it would be a convenience to the office, and an advantage to the transaction of business here, if the time for receiving deeds for registration was to be restricted, so that you could receive deeds after three o'clock, instead of four, as at present?—Well, I think that would be a great inconvenience to the attorney profession, and to surveyors.

1278. But would it be a great advantage to the office, in getting out the work for the following day?—Of course it would facilitate that department; but for the past three or four years we don't return deeds and copies after half-past three o'clock, in order to throw the strength of that particular office on comparing deeds and receiving deeds.

1279. Would it not facilitate the preparation of your business for the next morning, if you were to stop receiving deeds at three o'clock for registration that day?—The deeds that come in at four o'clock today are on the books at eleven o'clock to-morrow.

1280. When are those entries made?—They are made up to the time. If I am receiving a deed at thirty minutes past three, the man that is making the day-book is entering, perhaps, the deed I received, at fifteen minutes past three.

1281. And suppose you received a deed at five o'clock?—It will be entered next morning.

1282. And the office opens at ten o'clock?—Yes, and it will be entered in the same proportion of time as those of the previous day received and entered. Limiting the time for receiving deeds would be a great inconvenience to the public and to the profession, in my opinion.

1283. Mr. MELBOURNE, Q.C.—Isn't it usual to search up to the last moment of the closing of the office?—Certainly, that can be done.

1284. And isn't there a great confusion of deeds coming in up to the last moment?—They are all entered, up to say a quarter or half-past three, and after that the party searching has only to look through, at the very most, eight or nine deeds.

1285. But would it not be better to close, say at three, for the registration of deeds, and then you could have them all on the books?—I fancy that professional gentlemen would consider it a great inconvenience.

1286. That is, such as want their deeds registered late, but for persons searching, would it not avoid confusion?—I cannot say that there is confusion. After the search on the day-book is made, to look through the number of deeds that we received up to the end of the day, does not take very much time. As you say, the entries would be more complete the other way, but I am dealing entirely with regard to what I consider would be the convenience of the profession.

1287. The VICE-CHANCELLOR.—But, supposing that ten deeds were brought by different people at five minutes to four o'clock, what would you do with them?—That would be an impossibility. Every deed, as it comes in, has to be compared before it comes to me, if I am on duty. It is like a stream, you keep it flowing regularly, so that I have never more than two or three at the counter at the same time.

1288. That is only reversing matters, suppose ten men come in together with deeds for comparison at five minutes to four?—We could not compare them.

1289. Then what would you do with them?—We would have to say that we could not compare them.

1290. And they would be brought back next day?—Yes.

1291. And if it was arranged that the reception of deeds should be stopped at three o'clock, could not all be taken and registered before four o'clock?—But they could not be registered until compared.

1292. Explain the present system?—If a man brings up a bundle of his deeds at a quarter to four or half-

EXAMINER.

Feb 24, 1896.

Mr. John J. Norton.

EVIDENCE.

FM. M. 1848.

Mr. John J.
Matson.

part three, he knows that he could not have those compared and registered.

1293. But suppose that there are half a dozen men coming up with a deed each, all anxious to get those registered?—Professional men are anxious to convenience each other, and would arrange which should be compared first—all could not be compared at that hour.

1294. At present a deed is not registered until after its comparison?—No.

1295. Was that the case when you first came to the office?—No.

1296. What was the custom then?—The custom then was to take the deed to the registry, and compare it afterwards—next day or possibly two or three days afterwards—if an error was then discovered the party who lodged it was notified of its withdrawal from the registry.

1297. Do you think the present system an improvement on that?—Of course. Now you can make your search up to the last deed received on the day, whereas under the old system you could not make a search up to within three or four days before that. Then probably a solicitor would not hear of the error in his deed, and its withdrawal from registry, for a week or two—his clerk may have been careless or he may not have come up to the office—and meanwhile the transaction it dealt with has been closed, and possibly another instrument registered against him.

1298. His having being rejected for some informality?—Yes; but under the present system—having the comparison first—they can be registered on the same day.

1299. Are deeds, after being compared, allowed to get back to the party, before going to the assistant Registrar?—Oh! certainly, they are handed back to the party.

1300. Don't you see that in that case there is no security, that the document that has been actually compared is the same that is afterwards handed to the Registrar?—It is initialed, and marked, and identified by a certain number.

1301. But supposing that an alteration were made in a deed after it was compared?—That is a fraud that I don't see you could guard against.

1302. Could it not be done by the officer comparing originally transmitting the deed to the Registrar?—There are some formalities between hands, and solicitors don't like to pay their fees till the deed is found to be correct.

1303. But could you not insist on that being done?—"Insist" is a very hard word, and you know that if a man was determined to commit a fraud he would do it no matter how strict the rules were. The more pressing it from one hand to another in the office would not guard against fraud if a man was determined to commit it. But we have never had a case of any kind of fraud or alteration under the present system.

1304. At present, how are the office fees for registration paid—are they paid in stamps?—Yes, the office fees are paid by stamps.

1305. And those fees are paid by separate stamps from the duty stamps?—Yes—one is called the duty stamp, and the other the fee stamp. On every sheet of deed registered, there are two classes of stamps—a duty stamp, and a fee stamp.

1306. Those are part of the general revenue of the office?—Yes; the fee stamps are. They were received in cash formerly.

1307. Out of which the working expenses were paid?—Yes.

1308. Mr. LAST, Q.C. (Secretary).—You don't receive any money now?—No; not for any class of service.

1309. The VICE-CHANCELLOR.—Are you acquainted with the facts attending the surplus of the fee fund?—I am aware that, in former years, owing to the peculiar nature of the Act of William obliging the fees in hand at the end of a quarter to be lodged to the account of the Consolidated Fund within a certain time; that we had from time to time to lodge various

sums of money not properly surplus fees at all. They were not surplus fees at all, because I have had frequently, with the Registrar, and the two chief clerks, to visit from one half quarter into another for my salary. We would pay the general body of clerks, but sometimes we had to visit ourselves from one quarter into another to be paid, and at the end of that very quarter, then we perhaps would have a large sum to lodge, while at the termination of the following quarter there would not be sufficient to pay working expenses.

1310. And was that ever refunded?—No. It was lodged to the credit of the Consolidated Fund, and it cannot be refunded—it became part of the revenue from the time of lodgment.

1311. There was a large surplus accumulated at one time, I believe?—Yes, £42,000 was lodged from the year 1832 to 1850.

1312. Was that brought in in the way you speak of?—Yes. It was a quarterly lodgment in the Bank of Ireland due to the credit of the Consolidated Fund.

1313. Is there any such system carried on at present?—Not at all; it cannot be—there is no such thing as lodging now. There is no surplus fund—the fees are all paid in stamps.

1314. Are you aware now whether the fee fund realized in the office gives any surplus?—The amount of cash received by the fee stamps now would not pay the current expenses of the office, but then we should get credit from the Treasury—their Commissioners, Messrs. Chisholm and Law, so estimated it—fee about £5,000 a year, from duty stamps on copies and memorials.

1315. And would that supply the deficiency?—It would supply it very nearly, but not quite. Our estimate for this year is very close on £30,000.

1316. To what do you attribute the insufficiency of the receipts—is it to an increase in the expenses of the office, or to a diminution of receipts?—In a certain extent, to both. The fees are smaller now, and the work greater.

1317. Mr. MELDON, Q.C.—There was a great reduction in fees in 1870—wasn't the searchers reduced to 1s.?—That was the stamp duty—the general duty.

1318. That would make a reduction of about £1,000 a year?—To the general public, but not to our fee fund stamp. That was the general stamp duty. It was 6s., and it is reduced to 4s.; and on negative searches there was 10s. certificate duty, and 3s. duty on every negative abstract, besides 2s. duty on every census search, which is abolished now.

1319. The VICE-CHANCELLOR.—Is the number of deeds tendered for registration increasing?—Yes, it was last year over the year before, and the year before over the previous year.

1320. Is the increase considerable?—The increase is shown, I think, from the returns furnished to the Commission. Last year was about seven or eight hundred over the previous year, as I recollect.

1321. Mr. LAST, Q.C. (Secretary).—Haven't they increased within a short time past—have you not had some heavy days recently?—We have had a steady increase for the last few years.

1322. Didn't you receive up to 140 one day recently?—We took 150 one day lately, and we have taken 150 a day several times.

1323. Mr. MELDON, Q.C.—Haven't the stamps on instruments, consolidated from deeds, increased by £1,000 a year?—Yes.

1324. It was about £3,000 a year, and this past year it was £4,000?—Yes.

1325. So that on the receipts from memorials alone there was an increase of £1,000 a year?—Yes.

1326. Mr. MELDON.—After the lodgment of the surplus fees was stopped, did the Treasury still, by means of the stamps that were substituted for the fees paid in money, continue to derive a profit from the office?—Yes, up to within four or five years ago.

1327. They did?—Yes; but they have not for several years.

1328. And that was altogether apart from whatever

they derived from the duty stamps?—Yes. After the cash receipts stopped, I don't think they had much profit, because they gave a new classification then, and the expenses of the office increased. Of course, they gain very largely through the inspection, as to the stamp duty by the Assistant Registrars. In fact, there would be a very great loss to the revenue if that inspection ceased. That is so in England, I believe, where there is no such inspection.

1329. Could you form an estimate of that possible loss?—No; but beyond doubt the revenue gain largely by the system in Ireland of inspecting the stamp duty.

1330. Lieut.-Col. MARTIN, R.E.—With regard to the unhealthiness of the rooms, and the want of ventilation—is there any consideration of the cubic space, and the number of men in each?—No; that is not taken into consideration, but if you were to judge of them in that way, you would say they were sufficient.

1331. The rooms are lofty, I suppose?—Yes; and even in the public searching rooms there are two doors leading into it, besides ventilators and a large window.

1332. As to the public rooms it does not matter so much, the doors of these are so frequently opened admitting currents of fresh air, but it is different as to rooms where clerks are sitting—the doors are not so much open?—Well, in all our rooms the doors are frequently open. They complain of draughts from that very thing.

1333. And is a man much moved about from room to room?—The searching staff have to change from office to office continually.

1334. Then they may be crowded in one room at a time?—Yes; but the air must be changed constantly by the draughts.

1335. Mr. MANDER.—It was the official searching room that Mr. Leyce complained of most?—There are two doors opening into it, and three or four large ventilators, which were put in at the time that Sir Dominic Corrigan reported.

1336. Mr. MANDER, Q.C.—There are some Probate officers in the same building as the Registry of Deeds?—There are, and I think there are two rooms unoccupied. We asked the Board of Works for these three or four years ago and they would not give them.

1337. If the rooms now appropriated to the Probate Court were thrown into the Registry of Deeds would that not give you ample accommodation?—It would give largely increased accommodation, and it would be attended with very great convenience to the public.

1338. Is it not a fact that walls are divided into two portions; one portion, down to a certain date, lodged in the Probate Court, and the other up in Henrietta-street?—Yes.

1339. And would it not occur to you that they should be all together, down in the Four Courts, so that a person need not search first in Henrietta-street, and then at the Four Courts?—That would be the natural arrangement one would think.

1340. And there is very great want of accommodation in the Registry of Deeds Office?—Yes. Great want of properly arranged rooms, particularly where the public are accommodated in the Registry Office, and in the Public Searching Office.

1341. You were asked as to the classification of clerks and you said there was no classification of duties, do you see any reason for a classification of clerks when there is no classification of duties?—As a matter of fairness, the men discharging the same duties ought to be getting the same remuneration, but having regard to the present arrangements of the Civil Service seniority and length of service must cause a difference. But where the duties are the same there certainly might be an arrangement that would work better of having only two classes, a first and second.

1342. But the difference of salary does not depend on the class, for is not there an annual increment no matter what class a man is in?—Oh, but £200 is the maximum of the junior class, whereas the second commences at £310 and increases to £300.

1343. Isn't it a fact that in other public offices where there are junior and senior classes, the senior class generally act as superintendent over the others, isn't that so?—I am not aware, but as a matter of course the senior clerk is, to a certain extent, placed in a superior position.

1344. Do you happen to know what arrangement they have in the Education Office in Macclesfield-street; don't the senior class clerks just superintend the work being done by the junior class men throughout the building?—I cannot say. I have no knowledge of that.

1345. Would it not be of great advantage to have only two classes with an annual increment?—It would be a decided advantage of course to them.

1346. So that outside the question of mere promotion from class to class a great deal of benefit would accrue to the clerks from having only two classes, because by annual increments they would rise to the maximum of the second class?—Of course, and that would be a great incentive, the annual increment, besides being a great check, and a means of enforcing discipline.

1347. So that it is not altogether a question merely of promotion from class to class; if there were only two classes the clerks would benefit to a great extent?—According to the system of the junior division clerks now their fixed pay is increased by what is called duty pay. That is if a man attends to his work and exhibits zeal and ability he gets extra remuneration over his class salary and over a man of the same standing who is either inattentive or unskilful, and the head of the department must report as to that.

1348. The Vice-Chancellor.—Do you think that system might be applied with advantage to the staff of the office?—I am not prepared to say. That is entirely a Treasury arrangement.

1349. You say that the annual increments are a great check and a means of enforcing discipline. Is it the case now that a man does not get an annual increment unless he gets a certificate of good conduct?—The Registrar as head of the office is bound to withhold the annual increment from any clerk whose conduct has not been satisfactory during the previous year; and in every class the Registrar has to receive a report from the chief clerk whether a man has been regular in his attendance, and has discharged his duties satisfactorily, and if there is any cause of complaint against him he must state it and give particulars.

1350. Mr. MANDER.—But he will get his increase unless the report is unfavourable?—Yes, he will get it unless the report is unfavourable.

1351. It does not require a specially good report to get it?—No.

1352. Mr. ARMSTRONG.—Has the annual increment ever been withheld?—Certainly, very frequently, I am sorry to say.

1353. Mr. MANDER, Q.C.—These surplus fees of £42,000—did that include any portion of the stamp duty then paid on memorials?—No, entirely fees.

1354. Is there any record of the fees kept, or anything that would show the amounts received for the past ten years, for stamp duty as distinguished from fees?—The amount of stamp duty.

1355. Yes, the amount of stamp duty paid on memorials?—No. We did not keep that in any way. All we know is that a certain number of memorials were received and that those should have each the two half-crown stamps. If you multiply the number received by 5s. you would arrive at the total.

1356. Does any instrument except the memorial bear a stamp duty?—Yes, there is 1s. stamp duty on copies of negative searches, and copies of memorials.

1357. And the memorials 5s.—Yes.

1358. Is there any duty of that nature charged upon any other instrument that is registered—for instance, on satisfaction of a judgment?—No, only fee stamp.

1359. Or on certificates of the appointment of assignees in bankruptcy?—No.

1360. Mr. MANDER.—Is there no stamp on the affidavit of the witness to a deed?—Yes, there is an

ENDSHER.
Feb 19, 1899.
Mr. John J.
Mander

EVIDENCE.

Feb. 28, 1885.

Mr. John J.
Mason.

affidavit stamp 2s. 6d. and on the memorial another 2s. 6d.

1361. Mr. LANE, Q.C. (Secretary).—Would you just go through the routine of registration, to have it in the evidence?—When a deed is first brought in, the deed and its accompanying memorial are presented to two gentlemen who compare the memorial against the instrument to see that all the requirements in the various Acts have been attended to, and as soon as that comparison is completed, and the deed and memorial found to correspond they initial it and mark it with a denoting number. It is then handed back to the solicitor tendering it for registration and he proceeds to the place where the Assistant Registrar is, and hands him the deed with the memorial, which he inspects first as regards the general or ad valorem duty and then as regards the office fee stamps. That done, he passes it on to the maker of the day book.

1362. Does not he number it first?—Yes, he puts a number on it and marks the time of delivery. Then it is passed on to the maker of the day book, who makes his entries from it at once, so that in that way the day book is, as a general rule finished by eleven o'clock next day.

1363. Mr. ARNOLD.—Did not the Treasury, from time to time grant considerable sums for the comparison of memorials and making up books?—The Treasury altogether advanced about £2,600 for special purposes. They first gave £800, I think in 1863 or 1864 to bring up arrears of transcripts of memorials and they gave a further sum of £450 to complete that arrears. Then they gave £300 for engraving consolidated indexes and duplicates of them. These are the entire grants made.

1364. That was all subscribed to the transfer to the Treasury of the £42,000?—It was.

1365. Mr. MILDON, Q.C.—Would there be any difficulty in compiling a return to the office, showing those sums that were paid by the Treasury?—None at all, they were the subject of a correspondence. Messrs. Low and Chisholm's report shows the several sums. Mr. O'Connell who was Registrar at that time, applied for £1,500 more to complete old indexes, and the Treasury postponed deciding upon that application, and it was never acted upon. But those that I have mentioned were the only grants made and they amount in all to about £2,600.

1366. Mr. FIDDLER.—Do you think there is any hardship upon the transcribing clerks in only being allowed 14d. a folio when they have to copy old documents which are tedious and difficult to read?—No, and the proof is that the employment is very eagerly sought after; according to the scale of remuneration for like work elsewhere, it is enough I think; these are not engagements, they are written in a mere running hand, and men are able to earn £3 10s. a week at it, and it is considered as good an employment, that as I have said, it is eagerly canvassed, when there is a vacancy, the Registrar is generally pestered with a good many applications for it.

1367. Isn't it a fact that they have often to copy long headings?—Those are prepared for them beforehand; they have no head work, mere copying.

1368. And does that count in the number of folios?—No, but a long heading would not amount to half a folio. (See *infra*, p. 126.)

1369. Mr. ARNOLD.—They also complain of not being paid for the endorsements?—The endorsements on memorials?

1370. Yes?—Well they are short too, and that is part of the agreement with them; they are only employed temporarily, and the Registrar laid it down clearly and emphatically, that they were to have no claims except for work done, in respect of which they were to be paid at the established rate.

1371. Mr. FIDDLER.—Their not being allowed to leave the office, is that part of the arrangement with them?—Yes.

1372. And is it a fact that in '71 and '72 they were

going about hills for a considerable time?—Well that might be, for an hour or two, but I don't think it has occurred generally, it may be however, that a man would be idle for a short time.

1373. Mr. ARNOLD.—Would it be possible that one of the transcribers would not earn more than 7s. or 8s. in a week?—He must be so bad that he would not be kept in the office.

1374. But from the want of work?—No, impossible, if we had not work for them we would send them away.

1375. The office hours are from 10 to 4?—Yes.

1376. Would there be any difficulty in giving the transcribers longer hours, keeping the office open for them later?—It would be utterly impossible unless you kept the staff too, to take charge of the original memorials; they are never entrusted to the transcribers unless in the presence of staff clerks; besides I think that men earning £2 10s. a week at that class of work are very fairly paid, and that their emotion does not call for any rebuke of the department.

1377. Mr. MANNING.—But isn't that the outside limit?—They are limited to that, we sometimes limit them to £2 a week, when they write badly.

1378. The VICE-CHANCELLOR.—You are aware that in the ordinary offices of the Court of Chancery, and I believe also in the Common Law Courts, the clerks are paid partly by salary, and partly by work done?—I believe so.

1379. Do you think it would be an advantage in the office to adopt a plan of that sort?—I am afraid you would not get the same amount of work done, and it would increase the expense of the office.

1380. Why would you not get the same amount of work done?—Because men do more work when they know that on the amount done depends their pay. Of course it would be a great advantage to the men who don't wish to work as hard as they do under present circumstances.

1381. Do you think that it would be a reasonable thing to do?—I think they are well paid as it is, having no head work, but merely mechanical work, and earning £2 to £2 10s. a week. I think they are well off as things go.

1382. But, of course, the older a man gets, the shorter his whole life to the office as a transcriber, the less he will earn?—That is so—after a given age; but it has been impressed upon them that theirs is only a temporary employment.

1383. Do you think it would be better to have a class so far permanent, as in the Chancery office, and the offices of the other courts?—I don't see it. I think men will work better when they know that their pay depends entirely on their giving satisfaction, and the amount of work done.

1384. Mr. MANNING.—Of course, the question is how much work you are to get out of a man, payment by task work would be the best?—If they are to be brought on the staff, or recognised in any way as connected with the office permanently, an advantage would be gained by giving them a fixed salary, but I think you would have less work done. Since they get the advantage of three weeks' vacation, and three weeks' sick leave, we have never been able to get the same amount of work out of them.

1385. When away on vacation how are they paid?—On the average of their wages for a certain number of weeks previously, and the same on sick leave.

1386. Mr. ARNOLD.—Transcribers don't discharge any of the duty connected with comparisons. Do you think it would be safe to intrust them with the comparison of their own work?—Very unsafe.

1387. The VICE-CHANCELLOR.—That is always done by staff clerks?—Yes, by two.

1388. And that is a check upon them which would not exist if they checked each other's work?—No; besides I would have a difficulty in certifying a copy document as true, when compared by such men.

EVIDENCE.

March 1, 1880.

Mr. Michael F. Dwyer.

MONDAY, MARCH 1, 1880.

MR. MICHAEL F. DWYER (Registrar of Deeds), re-examined.

1389. The VICE-CHANCELLOR.—Will you be kind enough to explain what the present system of promotion in your office is?—The promotion is by the Treasury, upon the recommendation of the head of the department—very much the same as in all other public departments, I think.

1390. But what is the system? Do the men proceed from the 3rd class to the 2nd, and from the 2nd to the 1st?—That is the ordinary course, and I have known of no departure from it.

1391. But if you considered a man unsuited for promotion from one class to another the course would be for you to express your opinion to that effect to the Treasury?—Yes, that I recommended so and so should be promoted in place of so and so, for reasons as is stated in that communication. Indeed, the idea now is to have regard primarily to merit, influenced, if at all, in a very minor degree by any other considerations. Formerly seniority obtained very generally, but not by any means as the sole ground for promotion. Now, however, it is postponed to other considerations, the first of which are character and efficiency.

1392. Have you to make annual reports upon your several officers to the Treasury?—No, the Treasury would not receive such reports.

1393. You make no reports except in the case of promotion?—No, the Treasury would not receive reports; nor will they receive general solicitations for advice as to the arrangement or guidance of a department. That is left to the head of the department upon his own responsibility. Of course there are exceptions to that rule. I have had exceptions to it—for instance, in the case of a special penalty.

1394. What was the nature of the penalty you speak of now?—Dismissal.

1395. Is that a case under the Act of William 1?—No, under a Treasury minute, which has the force of an Act of Parliament, subject to a discretionary power in the Treasury, and the heads of departments. For instance, there is an order to the effect, that if a clerk becomes a bankrupt, under a certain condition of things, he is to be dismissed or removed from the Service. A matter of that kind having occurred in my office I did not give effect to the extreme penalty; I recommended minor penalties, such as disallowance of increments, a stay on promotion, and so forth.

1396. You have just mentioned the increments. Must there be a certificate of merit from the head of the office before the clerk gets his increment?—The head of the department must approve of the increment. He writes on the report the word "approved," to show that the matter has obtained his consideration, and that he sees no reason why it should not proceed.

1397. Do you exercise a judgment in every case of increment?—Yes; they are brought to me periodically, or rather according to the time the officer is entitled to the increment. The clerks are appointed at different periods, and when their year is finished and the time comes round for the increment the discipline book is referred to.

1398. Who keeps that?—The chief clerk, and he makes entries of reprimand by direction of the registrar. That is to say, a case of misconduct is brought before the registrar by the chief clerk; the party implicated is brought before the registrar, the case is stated against him, and his explanations, if any, received. If these be not satisfactory the reprimand is recorded against him, and he may be then informed that his explanations are so unsatisfactory that he may be disallowed his increment the next time it comes round for the Registrar to report.

1399. Do you find that the power of withholding increments affords a wholesome influence in the guidance of the department?—I think so. If any man has been guilty of misconduct or serious irregularity—making mistakes in entries or searches, or inattentive, it is judicious in such cases that the head of the office should have the power to punish him accordingly. It is the loss of a year's increment, and sometimes I only disallow it for half a year. But at the end of the year or half year the increment is recommended again, unless a further stop is put to it by the head of the department for adequate reasons.

1400. He is one year delayed from his maximum?—Just so.

1401. Some complaints have been made about the slowness of promotion in consequence of the present classification in the office. What is your opinion as to that?—The complaint as to the slowness of promotion from the third class is, in my opinion, well founded. And here I beg to observe that I have had no communication with any of the clerks or officers of the department upon the subject of classification or pay, because I was under the impression that that belonged exclusively to the Treasury itself. Having been a member of a Treasury Committee some four or five years ago, when the question of salaries was fully considered, I should have felt myself precluded by that alone from interfering in the matter, even had I been unimpaired by the feeling that it was a matter for the Treasury. But I understand your secretary addressed a communication to all our clerks, including the scrivener, inviting them to send in a statement of their views respecting that and other matters.

1402. That is not so?—(To Mr. Lane) You addressed no such communication to the clerks in the Registry of Deeds?

1403. MR. LANE, Q.C. (Secretary).—No. (See letter, supra, p. 118).

1404. Mr. Dwyer.—There was a letter that I received from the Secretary to this effect, as I remember:—

"The Commissioners will receive statements in writing from the several classes of clerks in your office, and from the scriveners, and a dispatch of three or four."

1405. The VICE-CHANCELLOR.—No, but that "we would be ready to receive one of each order selected by the clerks themselves."—Then I take it that they have made certain statements with respect to their views for improvement in the matters of classification and salary. What I want to convey to the Commission is that I am in total ignorance of the nature of those propositions.

1406. The principal suggestion made by them was that thickness should be reduced to two—that a man beginning in the third class should go up by regular increments until he obtained the maximum of the second class, and also that the number of the first class clerks should be somewhat increased—I have not heard this before, but it occurs to me there would be grave *facie* a difficulty in realising that idea, nor do I quite apprehend how the idea could be worked out in detail. There are now say thirty third-class clerks in the department. Until lately the third class consisted of thirty-seven junior clerks; it now consists only of thirty, in consequence of the seven vacancies recently at the foot of the third class having been filled up by Playfair clerks who are made to constitute a lower division. That has had the effect therefore of reducing the number of clerks in the third class to thirty, and of reducing the disparity that formerly existed in numbers between the second and third classes.

EVIDENCE.

March 1, 1866.

Mr. Michael
F. Dwyer.

1407. There are fifteen in the second class?—Yes, and at present there are only thirty in the third. In the year 1874, the Treasury inquired into this matter, and the result of its action was a very considerable increase in the salaries all round of all the classified clerks.

1408. This was the Commission of 1874?—Yes, presided over first by young Mr. Gladstone, and then by Earl Percy.

1409. Mr. LAKE, Q.C. (Secretary).—Was there a private report?—Yes, I think it was a confidential report. I can however give you an idea shortly of what took place. The classification as it previously existed originated in a Treasury estimate of 1866. The salaries assigned to the different classes of clerks in that estimate were considered entirely inadequate, and subsequently, upon the motion of Mr. Pinckney in the House of Commons in 1873, a Treasury Commission was issued with a view to rectify the alleged difference of salaries in the departments in London and Dublin. Mr. W. H. Gladstone was at the head of it in 1873, and it was continued under the presidency of Earl Percy in 1874. The report was made under his lordship's presidency recommending a very considerable—a very substantial—increase in the salaries; that is to say, it recommended an advance in the salaries of the junior clerks—then consisting of forty officers to from a maximum of £150 a year to a maximum of £300 a year—an advance of from £100 to £200 a year in the second class clerks, and an advance of from £260 to £450 in the maximum of clerks of the first class.

1410. The VICE-CHANCELLOR.—That was not carried out?—It was, substantially.

1411. I am speaking from your return.* It gives you first class clerks, beginning at £315, and rising by £15 a year increments to £430; then in the second class fifteen clerks, rising by £10 a year increments from £210 to £300, and thirty-seven third class clerks, rising from £60 to £300, by £10 a year increments?—I was right as to the maximum. The maximums were raised then to £205, £305, and £450 respectively, and that is the present scale of the department. That was so late as the year 1874. I suggested at that time a somewhat more liberal advance in the salaries, but I was alone in the recommendation, and the Treasury acted upon the recommendations of the majority only. In the same report the question of classification was also dealt with. I felt myself that the promotion was exceedingly and unfairly slow to meritorious men in the third class, and I suggested, as a mode of accelerating their promotion, an increase in the number of officers in the second class, and also an addition of one or two to the first class. That recommendation was adopted by the entire Committee, so far as regards the first class, but it was felt that it was not applicable to the condition of things in the third class, because it was thought that under eighteen or twenty years' service an officer in that class would not have any reason to complain of the slowness of promotion; and they were few—I don't think that any of the officers in that class at the time had been eighteen years in the service. But in their letter to me confirming most of the recommendations of Earl Percy's Committee, the Treasury laid out the prospect that in the course of time—and of a very short time too—that particular recommendation would be considered and given effect to, namely, the accelerating of promotion from the lower class by increasing, at all events, the numbers in the second class, and thus affording a better promotion between the members of the second and third classes. Matters stood in that way, and effect would have been given to that recommendation, I am sure, ere this, but on an invention (Mr. Dillon's) was started which caught the fancy of some few at the time, and which suggested to the Treasury the idea held out by the author himself, that the success of his project would be to dispense with two-thirds of the staff of the

department. And in that state of things the Treasury naturally not only declined to entertain a proposition which was made by the clerks and forwarded by me, to enlarge the second class, but even to make appointments pending the experiments that were then in progress for testing that invention. I am quite aware of this, that the Treasury did not at all contemplate, nor did any person contemplate, that it would have taken six years to have carried out those experiments. In fact, it had been the subject of conflicting reports between myself and some members of Earl Percy's Committee in '74 and '75, when the invention took a definite form, and yet, notwithstanding, all those years have passed, and it was only set aside by this Commission. As I have said, the Treasury contemplated at the time of Earl Percy's Committee to improve the classification by an increase in the number of the second class, and if this enlarged it so as to make it about half the third class—that is, half thirty-seven—there would then be room made for some promotion from the third, and if I add to that, there were retirements made from the second class—which I think there might be—and from the third class too—promotion would be further facilitated. By an enlargement of the first and second classes, accompanied by retirements—which would be a matter of management, I think promotion would be considerably accelerated without touching the existing organization of the department.

1412. According to the present system it would appear that it would take a man twenty-two years in the department, so I make it out, before he reaches the maximum of £300 a year. Supposing there was no distinction between the second and third class, and that they were to go on up to the maximum of the second class—that is to £300 a year, by £10 annual increments from £50, before he could attain the maximum of £350 a year, I think he would be twenty-one or twenty-two years in the department?—I think you are correct in that.

1413. And that is, supposing he went on without any stop?—Yes.

1414. Would it be an unreasonable thing to say that a man at the end of twenty-one or twenty-two years' service should be entitled to a salary of £300 a year?—I don't think it would.

1415. Considering the duties to be discharged by these men?—I don't think it would, and it is very painful to me to see a number of unmeritorious officers at the small salary of £300 a year, doing first class duties without even any approximate prospect of improvement in their position.

1416. And men without any objection too?—Yes; men I would recommend for promotion if vacancies arose to be filled. I would be very glad to see any chance of giving capable men increased pay and promotion, but any scheme of improvement should proceed with due regard to the distinction between merit and demerit, and if you convert the third class in its entirety into the second class, you will be dealing with all clerks in an equally beneficial manner—you will be promoting clerks of three or four years' service just as you will promote men who are eighteen or nineteen years in the Service if you make them all members of the second class.

1417. But they would be only commencing at the lower salary of £50 a year?—I thought if they went into the second class they would go into it with all the incidents of that class.

1418. But suppose you began, as at present; that is to say, a man entering and as now getting £50 a year but breaking down the barrier between the third and second class, and allowing him to go on till he attained the maximum of his own class, but of the second class—£300 a year?—Then he would go through the ordinary course of increments, as if promotion did not intervene between the second and third classes.

1419. Yes, exactly?—I now understand what you mean, but I think it is somewhat new, in the Civil

* Appendix to first report, p. 134.

Service. However, I don't see any objection to it if it does not interfere with the principle of advancement by merit and efficiency; it is practically the principle of the Playfair system.

1420. If a man goes up by increments it would take eleven years to get to the maximum of the third class?—Yes.

1421. And he might then remain eleven or twelve years more there, without any further increment, because he could not get further increment until by a vacancy he gets into the second class?—Yes.

1422. And if that barrier were removed, he would go on annually up to the maximum of the second class?—Yes. A Playfair clerk now is somewhat in a better position than a clerk on the ordinary staff of our third class, because he has, as a second division clerk, to look forward, not only to his maximum of £230 a year, but then on the recommendation of the head of the department, he may have a further salary of £100 a year.

1423. That is good service pay?—Yes.

1424. And can he get that by one jump, or only by increments?—He may get it if the head of the department recommends, and the Treasury approves.

1425. But there is no promotion now from the Playfair into the staff clerk?—No, no normal course of promotion.

1426. Any promotion would be exceptional?—Yes, and by a circuitous route. There are difficulties in the way of rising from the lower division of clerks, under the Playfair system, although it does not involve an examination.

1427. Mr. MARSDEN, Q.C.—In future time, where will the first and second class clerks come from—how will you supply their places, as they die out or are retired?—I believe the Playfair system is intended to ultimately supersede our existing organization, subject to vested rights.

1428. The VICE-CHANCELLOR.—What Mr. Marsden wants to know is, where will you get your first class men, how will you fill their places, if this new system is to be applied to your department?—This was the subject of correspondence between me and the Treasury. I was against the application of the Playfair system to the department, because I was satisfied that the system of promotion is the best for the Civil Service, that it keeps alive, and maintains a spirit of co-operative effort within the office itself, and develops the capabilities of officers in a manner which the Playfair system cannot do. The Treasury wished to acquire in my views, but they were then encountered by a difficulty which had not occurred to them or to me, and which was suggested by the Civil Service Commission—namely, that the examination for the Playfair clerks was the same as that for all the Civil Service by regulations—under which the Registry of Deeds is, and they did not see their way to have men who passed the same examination placed differently. There would be some inconvenience in it, that an inferior order of clerks would have to undergo the same examination as the superior order, and then it was thought better, as vacancies arose, to apply the Playfair system to the entire establishment. Subject to vested rights, they will, I believe, promote, as long as men from the present classes are fit for promotion, in the ordinary way, until the entire department is brought under the operation of the new system—until the whole sixty-three clerks are Playfair men. It was suggested also that there should be seven or eight superior clerks, taken from my own department if there, or if not, to be brought from some other department, to be employed as superintendents of the work there, which I would never advise, because it requires a long course of training to make men fit for the duty of that department, but in most other departments there is a system of branch supervision, but it has never existed in the Registry of Deeds Office, where it is unnecessary and would be impertinable.

1429. What would be the highest emolument that a senior first class clerk under the Playfair system would get?—I do not know what maximum the upper division clerks can reach, the lower division maximum is £200 a year.

1430. And your first class clerks begin at £215, and go up to £230—and your second class clerks would go up to the maximum of £260—as high as the senior first class Playfair clerks could get, not only from actual salary, but also good service pay?—No, it is the lower division clerks who can go to £200, including good service pay, but that must be service beyond the ordinary range of capacity of clerks, because every man entering the Civil Service is bound to give his best services; so that it is very hard to have such extraordinary merit as will entitle a man to this extra or good service pay.

1431. What is your opinion as to the effect that that would produce in the office?—My own impression is that you would have great difficulty in effectively working (with anything like its present number), the Registry of Deeds Office, with the Playfair system. Out of my reasons for arriving at that conclusion is that the best Playfair clerks will prepare themselves for examination with a view of entering the upper division.

1432. In what departments are they employed?—Well, there are in fact in the English departments, what is called a higher division, and a lower division. A lower division clerk can obtain permission from the Treasury, if sufficiently recommended by the head of his department, to go up for examination for the higher division—and what they are doing in the Registry of Deeds now is—going to gradings and preparing themselves by examination for admission to the higher division, expecting that the parties who have it in their power to facilitate them will not withhold them from bettering themselves. And, accordingly, as men are becoming qualified for the superior class of work in our department, they will leave the lower division, and our staff will consist of the remainders of the lower division clerks.

1433. There is no opening for the higher class clerks under the Playfair system in your department?—No; they would leave us altogether on getting promotion from the lower to the upper division.

1434. And that would leave you only the remainders?—Yes.

1435. And would that not be ruinous to the transaction of business, in your opinion?—That is one of the reasons I struggled against it, and successfully, with the Treasury, for a time.

1436. Dr. EMMETSON, Q.C.—The Registry of Deeds is not one of the places where the higher class clerks under the Playfair system can be employed?—No.

1437. The VICE-CHANCELLOR.—Are these men supposed to be transferable from one branch of the public service to another?—They may effect an exchange, and the negotiation for that purpose is begun by the party himself. There is no power to remove; the removal must be the free act of the clerks themselves.

1438. Is there any superior advantage held out to those Playfair clerks in the way of retirements, or pension, or otherwise, beyond what is held out to the clerks at present on your staff?—None.

1439. Mr. ARMITAGE.—Are they permanently attached to the department?—Yes, permanently.

1440. Even in the event of there not being a sufficiency of employment?—In that case they are transferable.

1441. Dr. EMMETSON, Q.C.—Have you any of them at present?—We have just got in seven, in consequence of the long pending experiments of this new hy-gene invention. Vaccines had occurred, and suddenly seven youths are thrown in to me one day—one of them only seventeen years of age—and, of course, they will be for some time comparatively

ERINMORE
March 1, 1896.
Mr. Michael
F. Dwyer

EVIDENCE.

March 2, 1906.

Mr. Michael
E. Dwyer.

nessless. Under the ordinary system, the man last appointed would have been pretty well trained before another vacancy arose calling for a new appointment—but I got seven of them together.

1442. Mr. MARTIN, Q.C.—Isn't it a matter of absolute certainty, that in course of time the places of those clerks whose salaries now range up to £400 must be all filled by Playfair men?—All Playfair men.

1443. There is no other future for the office?—None other.

1444. And in your opinion would the same class of men be attracted to the office under that system as when the pay rose to £450?—No, they have not the same attraction, and they have not the same incentive to work when they are there—they have not the same stimulus, that competitive effort amongst themselves which I think is so healthy in a department.

1445. And is not it also the fact, that the men under the former system improved, as their period of service increased, by constantly attending to the duties they were at—searching or indexing, or whatever it was?—Certainly; and attention to business, capacity, zeal—all counted towards promotion.

1446. But these Playfair men will study Latin and Greek, as their only chance of obtaining promotion?—Yes, official activity, and attention to business would form no special reason for them at all.

1447. The O'Connor Docs, &c.—Will the Playfair clerks not obtain promotion by divisions?—No, they are stereotyped clerks. From the day they enter until the day they leave they are of the same division, and the only difference is that they may have obtained the maximum of that division.

1448. They go on with the annual increments towards that maximum, and that is their goal?—Yes, but by a terminal increment. It is an *accusatio* bias, and one which I am certain will not work well for the Civil Service.

1449. Mr. MARTIN, Q.C.—And the maximum to which they can attain is only £300?—Yes, and £100 duty pay, but that, as I have said, is to be for some undefined pre-eminence amongst the clerks.

1450. The O'Connor Docs, &c.—Do I understand you to object to this system, not alone because of the smallness of pay, but on account of there being no classification?—The comparative inadequacy of motive to special competitive effort with the previous system. Good service pay, with the maximum of £300, is no equivalent for promotion and a maximum of £450.

1451. Therefore you would not approve of, what has been suggested here, that the system of classification by divisions which now obtains should be abolished (that is, supposing that the Playfair system were put aside), and that there should be a general increase of salary, rising year by year?—I am not prepared to say that now, after the explanation given by the Vice-Chancellor, because what I understood was meant by turning the third into the second class was to give the clerks of the third class all the advantages of the second, and deal with them as a body. I understand now that it is to be in this way—that the third class is to be added to the second, and that the men should go on by annual increments from the lowest salary in the third class to the maximum of the second.

1452. But no promotion?—They would get what is the reward of promotion—increased salary.

1453. Do you set no value then on promotion as distinguished from annual increments?—I do, of course, because it brings them nearer to the first class, and gives increased pay.

1454. Lieut.-Colonel MARTIN, &c.—You attach no value to the mere name of second class clerk?—No, apart from its increased pay.

1455. The Vice-Chancellor.—I wish you to understand, for fear of any misapprehension, that I only asked your opinion as to the doing away with the distinction between the second and third classes, you

are not to consider that we have at present formed any opinion on the subject. We only want to ascertain your opinion?—In expressing an opinion upon such a matter the head of a department is on delicate ground. I will only say this—there are fourteen or fifteen clerks in the third class, as meritorious public servants as in any public department in the three kingdoms, and that their present position and pay are not adequate to their merits or to the work which they discharge.

1456. These men are now discharging the same business as men in the first class?—The very same.

1457. Would it be possible in your department to put the men to work according to the class they are in?—It would be very hard to adopt a plan to meet all the particular cases.

1458. Would you say that the first class clerks should be employed on a certain branch of work, the second class clerks on certain other parts of the business, and the inferior duties left to the third class?—I cannot see my way to that, and I have often considered it. When you get in a young man you test him, and in order to do that you must put him to the work of the department as you find him fit.

1459. What do you do with a clerk when he first comes to your office?—He is first employed at heading down the books to the public in the public searching office. This gives him familiarity with the books, and teaches him where to find particular books, as well as the nature of the books—Land's Index, Name's Index, &c. Then he is put to mechanical duty, such as copying duplicate documents, and Land's Indexes, and such work, or to sit with another clerk in the public transcribing room, seeing the work done by the ordinary clerks there, having charge of the materials handed to them for transcription, and comparing their work as to the quality of their writing, the accuracy of their transcription, and making errors, if there are any. Then he is employed compiling books, such as the Land's Index, and the Name's Index, that being an operation which we consider simple. The comparison and checking of these afterwards we deem more important, and entrust it to the best men in the office.

1460. What do you consider the highest class of business in the department?—We consider searching as equal in point of importance with the superior comparisons, and compiling the Day-book and Abstract-book.

1461. And these duties rank the highest?—Yes.

1462. How do they begin to learn searching?—First a junior clerk is put with a senior clerk. A negative search is made twice, and in the making of that search a junior clerk is associated with a senior clerk as a rule.

1463. And then each makes his search individually and independently of the other?—Yes, each must make his own wholly independent of the other, and then they check their work against each other.

1464. Mr. MARTIN, Q.C.—I suppose a common search is made by the very best clerks, because it is made by one man alone, and depends on his accuracy?—It is not necessarily so.

1465. Vice-Chancellor.—Having regard to the business in the office, I ask you again, do you think it would be possible to classify the clerks according to the duties to be discharged?—The difficulty I have is this, that in the first place there might not be room for employing clerks assigned to a particular line of duty, always at that duty.

1466. Do you think it is essential that you should retain the power of applying clerks to any of the classes of work according as you think them suited for it?—Of course I do, and that a man should be able to grasp the whole system, and to have worked at each branch of it, in order to be fit to perform the higher duties of the place in a satisfactory manner.

1467. Is it a fact that some of your most efficient men—clerks employed in the highest branches of the business, such as checking the indexes and making searches, are only third class clerks?—It is. There are men in the third class that I would entrust with any work in the office which is now performed by men in the other two classes. The present classification dated from 1864. Prior to that the whole arrangement of the office was in the hands of the head of the department. These certain fiscal changes were made; salaries were substituted for cash payments in fees, and so forth, and at the request of the head of the office a new classification was made by the Treasury. On that occasion the Treasury took the staff as they found it, and placed men into the first and second classes, more or less of regard to the fact that they held appointments. If the Treasury approve of it I see no objection that at first presented itself to my mind, with respect to adding several of the third class to the second, after the explanation which the Vice-Chancellor has given.

1468. Of course that should be in justice accompanied to some extent at least with an increase to the first class?—I think so. It would be a departure from the previous ideas of organization to put on the whole second class, and possibly you could attain the same end by having the first class enlarged, and the second increased, and that there should be some men retired. That would give room for promotions from the third class.

1469. What is the system of retirement in your department now?—A man goes out on two-thirds of his salary after forty years' service. There are men in the second class who may find it difficult ever to be promoted to the first class; and if that be so, it might not be a severe loss to them to retire. And if there was some slight addition made to the second class—which I believe the Treasury would have done long ago but for this invention that I have mentioned to, and which they cannot do now, as they are applying the Phylax system to the department—promotion would be facilitated.

1470. Would you approve of getting rid of an efficient clerk merely to clear the way for promotion?—No, surely not; but I would recommend that an efficient clerk wishing to retire should be facilitated.

1471. Mr. LANE, Q.C. (Secretary).—I thought the retiring pension in the Civil Service was two-thirds of the salary?—They have different rules. I think that men who subscribe for thirty years to the Superannuation Fund should be entitled to retire on full pay, and those who do not subscribe to that fund on our staff are in a better position than those who do not.

1472. The VICE-CHANCELLOR.—The transcribers are quite a different class; they are not staff clerks?—No, they are mere scribes.

1473. Not entitled to any promotion?—No; and they are clearly informed on appointment that they are liable to be dismissed at any moment; that they will have no claim for pension, superannuation, allowance, or gratuity.

1474. Is it your opinion that it would be for the advantage of the department to put these men on a better footing?—That matter was considered before by Lord Percy's Committee, at a meeting in the apartments of the Treasury Remembrancer here, when there was a disposition on the part of every one present to be liberal to all the officers; but it appeared to that committee that as the scrivenerly clerks could earn from £3 to £3 10s. a week, no improvement in their position was called for. I was asked by Mr. Hamilton, of the Board of Trade, had I experienced any difficulty in filling up vacancies on that staff, and I said not. I was asked also was £3 or £2 10s. a week the average salary of scribes in Dublin, and I could not answer that.

1475. Do these men hold a somewhat responsible position?—They are doing their duty as scribes

under the eyes of two staff clerks, who are there to report.

1476. Is there a general scrivenerly room?—Yes, and there are two staff clerks there engaged in that room, and in charge of it; but the older these men get, and the longer in the Service, the less they are able to earn. Of course their ability will decline and will also very much vary with health.

1477. You have power now of giving them vacation leave?—Yes, three weeks vacation and pay an average of their previous earnings, and they are also entitled to sick leave on pay for three weeks on certificate.

1478. That is so far good, but are you aware that in the Chancery Division and in the Common Law Division the scrivenerly clerks are on a different footing—that they have small salaries, and are also paid by the folio?—I am not; and I would have to take time to consider how it would affect us, because the same work would not be done, and by the regulations of the Treasury I cannot appoint more than fifteen of these clerks, although the earnings of fourteen or fifteen might not vary, or at all exceed the earnings of the thirteen. The number is limited, and therefore I am obliged to try and get the utmost amount of work out of them, in order to keep the memorials transcribed up to within the time named by the Act of Parliament, namely, within sixty days. At present they are up to fifty-nine days, I believe, but if there was any sudden increase in the work it could not be kept to within the sixty days, unless the number of scribes was increased. The work could not be done.

1479. These men are not paid for the endorsements and headings, or for preparing their parchment?—No.

1480. Why should they not be paid for the endorsements as well as for every other word they write?—I could not see any reason for it, but I heard that the reason was, that these matters were not considered part of the document. They are clerical additions made in order to facilitate the transcription.

1481. But seventy-two words are seventy-two words, no matter where they are found?—Of course; but the office practice is as I say for the reason mentioned. It is a technical reading of the matter. These men are assigned to us to transcribe memorials, and anything not in the memorial it was thought we had no right to pay for; but the transcribers undertook the duty subject to this rule.

1482. Mr. ARMISTEAD.—It was not by a Treasury instruction these payments were withheld?—No, not in writing, but we consider it a Treasury instruction; our officers were visited by officials from the Treasury, —Messrs. Chisholm and Lav—who made the report in '74; and it was made known to them that these headings were not paid for.

1483. That was the Commission of '64, not '74?—Yes, '64. I have been thinking of the matter since, and I was very anxious to give payment for every folio they write.

1484. The VICE-CHANCELLOR.—There was also something said in the way of complaint, that they were not allowed to compare the documents that they themselves transcribe. Do you think it would be safe to allow the comparison into the hands of these men?—Not at all.

1485. Is it not a most important check upon the accuracy of these men that they are checked by the staff clerks?—To be sure; and it would be folly to allow them to compare their own work.

1486. Great complaints have been made to us by the clerks, and by persons having recourse to the office of the great want of accommodation there?—And that complaint is well founded. To begin with the Assistant Registrar's room, where the deeds are

ESTIMES.

March 1, 1895.

Mr. Michael
E. Bayne.

EVANSON.
March 1, 1888.
Mr. Michael
F. Dwyer.

received. The space there is so inadequate that they are huddled close together. Again, where the computers are, there is great want of room.

1457. That is where they compare the deeds against the memorials?—Yes. The space within the room in that room is quite inadequate, and very unhealthy. There are hot water pipes running along the room, from which the clerks suffer considerably. Then when there are two or three clerks panning and repassing, to give explanations about their searches in hands to the public, they cannot pass and repass one another conveniently. The same thing applies in an aggravated way to the public searching room. It is not half the size it ought to be, and the fecidness of the atmosphere is absolutely revolting when it comes up to them or four in the evening. Men complain of it, and have headaches. Then the official searching room is manifestly insufficient in size. There are twenty-four men searching there in a room certainly not suited to contain comfortably or healthily more than half that number.

1458. Have there been complaints on the part of the clerks of their health, suffering from want of air and ventilation?—Yes, and I have seen some there with their heads swollen and their eyes inflamed. It is the most unhealthy place that could possibly be conceived.

1459. We were referred to a report made by Sir Donohoe Corrigan in 1861?—Yes.

1460. And you sent us a copy of that?—Yes; (infra p. 131.)

1461. Do you think the defects he found were remedied?—I think so, so far as possible; but the fundamental defect of want of room remains and will always remain. He suggested, however, some improvements in the way of getting increased ventilation. For instance, he advised the insertion of ventilators in windows and so forth, and these were carried out. He also recommended open fires instead of the hot water-pipes, and these were installed, but a fire broke out on the premises and we got alarmed, and by direction of the Treasury applied to the authorities of the Board of Works. The result was that the hot water-pipes were restored.

1462. And do you think that they are wholesome?—Certainly, and that is the experience of all of us.

1463. Mr. LANE, Q.C. (Secretary).—How long were the open fires there?—About four or five years. Dr. Little, of Stephen's-green, lately had to visit the apartments of the housekeeper there, and his certificate became the subject of a letter on my part, forwarding it to the Board of Works. Within four or five years two healthy housekeepers died. A third was recently appointed and she and her husband are living there. She has had frequent and severe illnesses, and one of her children died. Dr. Little has reported that no human being could live there. The Board of Works are trying to do something; but they are again met by want of space which is the fundamental objection to the building and one of the causes of its unsanitary condition.

1464. Mr. ARMSTRONG.—The original memorials are kept in vaults. Is there ample storage there?—Yes; and the vaults I must say are both dry and spacious.

1465. The VICE-CHANCELLOR.—Is there any way of getting additional accommodation there without putting up new buildings?—Unless the offices of the Probate Court were removed down to the Four Courts. If there be accommodation there, I think it would be for the convenience of the Court itself and for the public to have its offices there.

1466. And then there would be a large amount of accommodation available for the Registry of Deeds—and very good accommodation?—Certainly.

1467. Which with a trifling expense could be adapted for you?—At a very small expense. I think we could suggest a mode of inter-communication which would be very inexpensive.

1468. Would these buildings provide any accommodation for at least a great number of years to come?—Yes, and would give ample space for the public.

1469. What vacations do you now give your clerks?—The vacation we are allowed to give them all is thirty-six working days, but there is an understanding that that is only to be given if the public business will admit of it.

1470. And is it a fact that you have not been able to give the full vacations?—Not at any time within the last ten years, but the vacations given are very considerable. I was looking at the vacation list for last year and I saw by it that nearly every clerk in the office got between thirty and thirty-six days. I have found it necessary to look with great circumspection at medical certificates, and if an officer wants a medical certificate too frequently I am obliged to tell him that I will limit his vacation.

1471. And do you find that that produces good results?—Very good results.

1472. What do you think of having more occasional holidays without infringing on the thirty-six working days' leave?—Well, there is a feeling in the Registry of Deeds which I should not conceal from this Commission—that they are in some respects exceptionally ill-used—that is that they have not the same number of holidays and half-days and vacation that are allowed to other public departments in Dublin, and particularly they complain that the Saturday half-holiday is withheld from them.

1473. I am coming to that in a minute or two. At present your only holidays are—?—Christmas Day and Good Friday.

1474. Do you think there would be any inconveniences if in addition to these the office was closed on Easter Monday, Whit Monday, and the day after Christmas Day?—I think not.

1475. Would you go beyond that?—I would recommend, at all events, that much.

1476. Would you go beyond that in your recommendation? Would there be any objection to give them the two days after Christmas Day—St. Stephen's and St. John's?—I think they ought to get them.

1477. Do you think it would seriously inconvenience the public?—It would not seriously inconvenience the public, but it would increase the strain on the present staff, because the number of deeds in the year will be the same, and the work not done on these holidays would be thrown on the rest of the working days.

1478. But having a holiday occasionally enables a man to pull up?—It has that effect, perhaps.

1479. Now, about the Saturday half-holiday?—You know what the feeling must be in the department—that it is denied that advantage bestowed in almost every other Government office.

1480. And given in solicitors' offices?—Yes; and banks, and all the public offices.

1481. And after two o'clock is there much business done in the Office?—After the half-day was given to attorneys' clerks first there was a great falling off in business after one o'clock in the day, but since then it has come round again, and now I see that the ordinary return of a Saturday is little short of any other day of the week. I cannot understand it, unless the attorneys' clerks get some extra pay for working that day the same as another day.

1482. Do you think it would be a great boon to give them the half-holiday—to close at two instead of four?—If I could get rid of the idea of the work

falling back I would say it would be most advisable; but, then, you must remember fifty-two half-holidays would be equal to twenty-six working days.

1513. No. We only propose giving two hours—closing at two instead of four!—Well, that would represent about seventeen working days, and that would be a serious thing, unless there was some provision made to strengthen the staff.

1514. That is, one or two additional clerks?—Yes. I think, in order to keep the work about the same, as now, it would be necessary to supplement the strength of the office to that extent in order to enable the holidays to be given. In '64 two very efficient gentlemen from the Treasury visited the office and recommended the present arrangements, and the number of clerks remained the same from that day to this, although the business has increased by 33 per cent. We have the same staff now to do the increased business that we had then.

1515. But the difficulty you have mentioned could be met by increasing the staff?—Yes; and now, in consequence of the deeds coming in at an abnormal rate because of those Board of Works loans, the staff may have to be increased.

1516. On the whole, would you recommend for the benefit of the department, and the reasonable claims of the clerks, that the office should close at two o'clock on Saturdays?—Yes, and that any necessary addition to the staff to give effect to that should be made.

1517. Yes!—I think there should be an increase of the staff consequent thereon.

1518. But if this increase of work goes on it would be necessary for you then to increase the staff, holidays or not?—Yes, it would.

1519. Would you recommend the closing of the Office for the Registration of Deeds at three o'clock, instead of four?—I would not postpone the registration of a deed while the office is open. I cannot see why it should not be open, for it is most important work.

1520. The reason that was suggested for that was that you could close your books, and have the indexes complete for next morning?—Yes, but I think there is no hardship to the public now in their having to inspect seven or eight or ten deeds, which are all that they did not find on the indexes at the close of the day.

1521. On which index?—The Names Index and Day-Book; and before searching begins next morning by the public we have the last deed received the previous day on the Names Index, as a rule. Then after having searched that Names Index—which is up to three or a quarter to three in the day—they have only to see the deeds that are still with the Registrar, and which never exceed from three to four.

1522. But is it not objectionable searching in that irregular way instead of in an index?—It would if the deeds were numerous.

1523. Then suppose that a number of men came up with deeds to be registered at five minutes to four o'clock, what would you do?—The clerk takes a deed—the comparison is begun—and if the clock strikes before they have the deeds compared they are handed back to the parties, and the office is closed.

1524. And could not that particular department be closed at three, just as at four now?—But is not this a conceivable case—that a deed does require to be registered between three and four?

1525. Not more than between four and five now. It would be outside the legal hour!—I admit you must draw the line somewhere.

1526. And if the public become informed as to the proper time, do you think there would be any difficulty?—Would you make it eleven or twelve o'clock then?

1527. No; that would not be a reasonable time!—Well six hours is considered a reasonable time for them to do their work in, and I do not see why you

should, while the office is open for the purpose, close it for this its most important function.

1528. Putting aside, altogether, for the present the public convenience, do you think that stopping the registration at three o'clock instead of four would be of advantage to the office in enabling you to have your work forward for the next day?—It would enable us to have every deed on the registry next day, but then that day the same difficulty would arise, because if a deed came in before three o'clock the party would have, after finishing the indexes and the Day-Book, to go to the Assistant Registrar's desk to see whether there were any deeds there later and not entered.

1529. Is not that a great interruption to the Assistant Registrar?—Well his assistant does not allow him to be interrupted. He just passes the deed over to the party who wants to look at it.

1530. Do you not think that very objectionable?—How could it be avoided?

1531. By leaving the searches to index only?—But within the day the inconvenience which now arises from having the office open for the reception of deeds to four o'clock will revive the next day.

1532. No. If the office were closed for the reception of deeds for registration at three o'clock could not the Day Book be written up at all events—say before the entire office closes at four?—Yes, it could, but from hour to hour next day there would be deeds not upon the Day-Book.

1533. You do not think then it would work practically?—I think the solicitors would not much approve of it.

1534. And you do not think the benefit to be gained by the office would be commensurate to the disadvantage to the public?—No.

1535. Mr. ANASTASIOU.—Is there any objection to a deed coming in late being received and its priority marked conditionally, and its registration to take place the following morning?—There would be this objection of admitting the deed to registration first and then seeing afterwards ought it to have been at all admitted to registration. I think the first thing to find out is, is the memorial fit to be admitted to registration and then receive it. The following was the objection to the old system. The deed and memorial were received without note or comment and registered. It was then compared afterwards as it was reached in turn, and if found defective then it ought never to have been received. The first disadvantage was that the Names Index was postponed, and that the entry in the Day-Book had to be erased. Then the document itself was sent back to the party to be amended. That was a very circuitous proceeding. Then sometimes, when deeds come up from the country and the town agent received a notification of error his clerk might overlook the thing—might forget to come to the office to withdraw the deed which was lying there for him—and the matter having passed from memory the deed would be dealt with as a registered instrument although it was never registered. Another objection to your suggestion is that the affidavit of execution could not be sworn after four o'clock.

1536. The VICE-CHANCELLOR.—Then under the old system a man went out of the office leaving his deed under the supposition that it was duly registered and received a notification in two or three days afterwards that it was not, but that some error had been discovered which prevented registration until it was amended!—Yes.

1537. Mr. MADDEN, Q.C.—And you say sometimes forget to withdraw it altogether?—Yes, and that I think accounts to some extent for the unindexed deeds I find in the office—parties who under the old system left their deeds, and forgot to take them out again when errors were discovered.

1538. The VICE-CHANCELLOR.—At present when a deed is examined by the comparers—(that is the first thing done when it is brought into the office)—but a clerical

Erratum.

March 1, 1900.

Mr. Madden
F. Dwyer.

EVIDENCE.

March 1, 1895.

Mr. Michael
F. Dwyer.

is compared, it is handed back to the party that brings it in, who then takes it to the Registrar or the Assistant Registrar for registration. Could that not be conveniently altered by providing that a deed should go at once to the Registrar or Assistant Registrar through official hands?—I think I could have that arranged, but it is unnecessary.

1539. And would that not shut the door to the possibility of fraud?—It would make things more sure, but I do not think any fraud has ever been committed. No motive exists—the party bringing in the deed is primarily interested in preserving the integrity of the instrument, for it is the mortgage or vendor, and not the party whose estate is being transferred that brings in a deed. Therefore there is no motive, and I must say I have never heard a solitary instance of any fraud.

1540. But if you had adequate room, what I have suggested could be easily done?—Yes; if it be a thing worth doing it can be done, and I am always in favour of showing every guarantee around the deed.

1541. I suppose you are obliged to submit to many imperfections, because of want of accommodation?—Certainly.

1542. Is there any thing now in reference to the organisation of the office that you wish to bring under our notice—it is part of our commission to inquire into the organisation of the office—whether “with a view to greater economy and efficiency in and what improvement ought to be made in the organization and system” of the office—I think that any views that occur to me as that matter I have already laid before you, and they are included I think in your first report. But there is one matter in that report which I would wish to call attention to. It is in connection with the old abstract books, and the construction of indexes. There is a typographical error, I take it to be, in your report respecting the indexes. When I was examined before you, I referred to the fact that from 1880 to 1882, the Names Indexes, though constructed, were in a more careless form, and not uniform with the present system, and in the report you state that for these thirty-two years no Names Indexes had been constructed.

1543. Yes, this is the passage—“there is an interval of thirty-two years, from the year 1880 to 1882, for which no Index of Names has been constructed.” Is that inaccurate?—Kindly. There are Names Indexes. But not constructed on the same principle as those at present in use in the office.

1544. And your recommendation was that they ought to be constructed on the new lines for that period?—Yes, they are partly re-constructed.

1545. Mr. MADDER, Q.C.—If the system which we recommend by our report were adopted, and if instead of the memorials an abstract were brought in prepared by the solicitor, would that not do away with the necessity of employing a certain number of the transcribing clerks?—It would, and I should add that that would be, to a certain extent, a set-off against the extra number of clerks that would be required for the comparing of the copy deeds brought in.

1546. I think you said that fourteen clerks would be required for that duty—seven pairs?—Yes; but then the services of a few, perhaps, of the transcribers could be dispensed with.

1547. And also would there not be a saving in the number of clerks now employed in compiling the abstracts?—Two clerks at present compile the abstracts from the memorials.

1548. But is there not a comparison sheet?—That would be spared if the abstract was brought in with the deed. The alternative proposition was that we should be in no way responsible for it at all, in which case I thought that the registry would not be very safe.

1549. Yes, and we acted on that?—But if we had to compare the labour would be the same as at present.

1550. The VICE-CHANCELLOR.—The comparison you are speaking of now is a comparison of the deed first brought in?—Yes; a few clerks are now employed upon comparing the complete abstract.

1551. The O’CONNOR DOW, M.P.—I want to ask Mr. Dwyer one question in connection with the evidence given here the other day—about transcribers that you employ are paid I understand by the piece?—Yes; so much a folio.

1552. And are they bound to attend every day?—Yes; subject, of course, to the casualties of health.

1553. Mr. MADDER, Q.C.—And if there is no work at the risk of having nothing to do?—Yes, but it never occurs.

1554. The O’CONNOR DOW, M.P.—Does it often happen that they have nothing to do?—No. About seven years ago there was a fall in the business of the office—a falling off in the number of deeds—and, of course, of the work to be done by the transcribers. A question arose whether we should dismiss a certain number in order to retain only those whom we could keep in full work, or to keep them all at a diminished amount of earning with the view of being spared the necessity of dismissing some of them. The decision was given to themselves, and they all chose to rack on at the amount of remuneration which their labour would give them at that time; at such times they are all free to go where they like now or then.

1555. Dr. ELIASZOW, Q.C.—The remuneration was very small, I believe?—Yes; it fell somewhat.

1556. For how long?—That continued, I think, for about three months.

1557. The O’CONNOR DOW, M.P.—And had you any other work—several of any kind—that they could have been occupied on then?—No; we are restricted to keep them at a certain specified work—the transcription of the memorials.

1558. And you had some of that description of work in arrears?—Not then. We have now. We are bound to have all the memorials transcribed on parchment within sixty days, and at this moment the deeds are so numerous and so lengthy, that we are within one day of the statutory limit, though we task them unto the utmost of their ability. I have never known even heard from men who were in the office before me, that, except on that single occasion, there was any want of full employment for these scribes. And it was not a hardship on them, that they were kept at a reduced earning, but rather a kindness—at all events it was with that intention.

1559. Mr. LANE, Q.C. (Secretary).—And there is a large arrears there now?—Yes; fifty-nine days’ arrears.

1560. Mr. MADDER, Q.C.—You said that in considering promotion, that if a vacancy occurred in the first class you would not give weight altogether to the seniority of men in the second class. Would you go the length of saying that if you had a very meritorious man in the third class he would be promoted into the first?—I should answer that in this way—it was not the practice of the office ever to promote from the third class to the first. It has happened that a staff appointment may be given to a third class clerk by the Treasury in respect of those matters within its own gift, but in the case of clerks who have undergone competitive examinations, the course of promotion is from the third to the second, and from the second to the first class. If a vacancy arises in the second class, and I am called upon to fill it, I may consider the man at the top of the third class unfit for promotion or not so fit as the man next him, and I am not bound to take into consideration solely the matter of seniority. Merit, good conduct, and aptitude, combined with seniority, but not seniority dissociated from these, determine the course of promotion.

1561. If he was a very good man would you pass him over because the next was better?—I would say not. If there is any thing at all like a balance seniority ought to carry it, but the senior clerk of a class may be an idle man, or a man who requires to be watched at his work.

or a man who has been setting a bad example, and if the men next to him are more deserving of promotion seniority gives way.

1562. Would it be a better system that he should have his promotion as a matter of course, unless it were specially reported that he was unfit for it by the head of the department?—That is precisely what is done. If he is unfit for promotion he should be passed over in the interest of the service and in justice to more reliable and deserving clerks.

1563. Official probity should be taken into account

as well as capacity and seniority?—Most certainly. I consider character a most material element in the matter of promotion. I give my reasons if I pass over a man who is a scoundrel.

1564. Dr. ELAINSON, Q.C.—You choose your officers or clerks for their particular duties just as it places you, without any respect to any advantage they may have from belonging to one class more than another. The class only affects their pay. You choose them from the whole body?—Yes, for any duty.

EVIDENCE

March 1, 1880

Mr. Michael
F. Dwyer.

MARCH 4, 1880.

Mr. DANIEL O'CONNELL FRAZER examined.

March 4, 1880.

Mr. Daniel
O'Connell.

1565. The VICE-CHANCELLOR.—You are Chief Clerk in the Registry of Deeds Office, Mr. French (a). How long have you been in the department altogether?—Twenty-nine years next June.

1566. And how long have you held your present appointment?—Since the year 1870.

1567. Will you be kind enough to tell us the heads of the duties you have to discharge?—Acting intermediately between the Registrar and Assistant-Registrars, and the Clerks; supervising the clerks, and going about to see that the general business is done properly. I have a knowledge of the work of the department and of each man, and I make periodical reports as to the state of the business, the conduct of the men and so forth. (See App. to First Report, p. 124).

1568. You exercise a general control over the staff—under the Registrar—and, I believe, that reports of irregularities generally go through you?—Through me or the Assistant Chief Clerk, to whichever of us the case of misconduct presents itself.

1569. Who is the Assistant Chief Clerk?—Mr. Thomas Fitzgerald (b); and he is also the Accountant.

1570. And does he exercise a supervision with you over the department?—Yes; in that way. The office is a large one and there is a number of men in it.

1571. And you report on the parties employed—if anything occurs requiring a report?—Yes. If anything very serious occurs, the person is brought before the Registrar himself. The case is fully stated there, and anything the clerk has to say in his defence is heard. Then the matter is noted—if it be of consequence—and signed by the Registrar. That is, in what we call the Discipline Book, and at the time that the annual increment comes round for each of the clerks this book is referred to, because it is a direction from the Treasury, that if a clerk's conduct for the previous year is not good he shall not receive an increment.

1572. Then, I suppose the reports come chiefly from you, as to whether a man deserves his increment or not?—Yes; in that manner. According to his conduct and attendance.

1573. You are accountable for that?—Yes.

1574. Is there an attendance book kept in the office?—There are three attendance books—one for each class, and each man records the time of his arrival in the morning, and of his departure in the evening. Besides, there is a ledger account kept for each of the clerks, showing the number of days they are on leave or ill.

1575. Do you think it would be attended with any advantage to the department if the classification was altered, as, for instance, by doing what has been suggested by some of the clerks, namely, reducing the classes to two; and, as was suggested here the other day to Mr. Dwyer, doing it in such a way as that men should commence as now in the third class with a small salary, and go up gradually until they reach the maximum of the second class, by the usual annual increments?—I think that we have men in the third class who are discharging as important duties as any

of the other clerks, and their position is a very hard one, for they have little prospect of an increase of pay, which after all is what every man looks forward to. I should say that one-half of the men in that class, not in point of individual seniority, but as regards numbers—that is to say, fifteen out of the thirty clerks in the third class, at least, are fitted to be in the higher classes, and, in point of fact, discharge first and second class duties, and the prospects of these men are very bad.

1576. I believe that promotion from the third class is very slow?—Yes. The third class is so exceptionally large that that is necessarily so. I know of no office in Dublin with such a large third class. It was forty men—it is now thirty. It was entirely out of proportion to the other two classes. I think the Registrar would be glad that many of these men were in a position to get the reward of their services.

1577. You come a great deal in contact with all the clerks in each class—passing through the office and supervising their work?—Yes; I am constantly up and down amongst them.

1578. And I suppose you have personal experience of all the business of the office?—Yes, I have been at almost all the business of the office, in my time.

1579. Is it your opinion that it would be impossible in an office like that to appreciate the higher classes of business to the higher classes of clerks?—I mean to allocate the higher class of business, any, to the first and second class clerks, leaving a lower class of business to the junior or third class clerks?—I don't think it would be advisable to assign any particular set of men to a particular class of work. I think they should be interchangeable as now, because we sometimes have a good deal of work of one class to do and little of another, and so on. Besides a general knowledge of all the work of the office is desirable. Men who are fitted for searching are equally fitted for indexing, or, in fact, any duty in the department. At the present moment we have not all our searches engaged upon searching, because we have not had as great a pressure for the last fortnight or three weeks; but we have turned these men to the comparison of old indexes, the preparation of consolidated indexes, and work of that sort. Of course they bring great experience to bear upon it.

1580. Is it the fact, as we have been told, that there are men in the third class discharging as difficult duties as any in the first class?—Yes, and that arises from the entire disproportion of that class to the others.

1581. And also from particular men in that third class, showing particular ability?—Yes; having intelligent men of long service and experience in that class.

1582. We were told by the Registrar that a new class of clerks has been lately introduced into the office—Payfair Lower Division Clerks?—Yes; to which the Registrar very much objected, and at first the Lords of the Treasury were inclined to yield to his objections, and not to appoint them to the vacant clerkships, but unfortunately they seem to have come to some understanding with the Civil Service Commissioners on the subject, and they sent

(a) New Second Assistant-Registrar. (See infra, p. 153.)—R.J.L.

(b) New Chief Clerk. (See infra, p. 155.)—R.J.L.

EVIDENCE.

March 4, 1886.

Mr. David
O'C. Finch.

us, in within about a fortnight of each other, seven young men appointed under the Playfair system to fill the vacancies that you in your first report recommended should be filled up. Thus we have had seven utterly untrained men sent to us at once. Of course that would not be the case ordinarily, because we seldom have more than one vacancy at a time, but, I think, that the time will come, and that rapidly, too, when there will be great discontent in the service. They have only triennial increments of £15; that it takes twenty-four years to reach their maximum of £900.

1583. And is that the maximum, outside good service pay?—Yes, but it is difficult to decide what good service pay is, and how it is to be given. The best of these men besides, will go in for the higher examination and will endeavour to get into the Upper Division of the service. In fact, some of them have already set themselves to study, with that object in view.

1584. And if they got into the Upper Division there would be no longer any place for them in your office?—No.

1585. Judge WALSH.—Had any of the seven men recently appointed been in Government employment before?—One or two of them was, for a short time, I believe.

1586. Were they transferred from any other office?—One man was nominated to another Government office in London, but finding that his services were not required there, I believe, he was sent over to us. The Civil Service Commissioners have that power.

1587. The VICE-CHANCELLOR.—Do you think that that system, if applied to the whole staff of your office would be detrimental to the department?—I think it would be detrimental in this way—that those men would probably become discontented. They would say that they were doing for £120 or £150 a year business that was formerly paid twice as much for, and that they had no prospects, whereas before a man could go up to £400 or £500, now they can only go to £500 a year, with perhaps some good service pay.

1588. And is it not probable that the men who would be attracted by such reduced salary and diminished prospects would not be as intelligent?—It would be hard to tell that yet, but the men we have got seem to be smart and intelligent.

1589. How do you find that the present organisation of the office works—as regards the efficiency of the staff, have you any cause of complaint as to the class of man that you were able to get, under the pre-existing system?—No; but I myself would have preferred the old nomination system to any.

1590. And under what system were clerks appointed before these Playfair men were sent in?—Under open competition since 1870; but the nomination system gave an extremely reliable class of men, I think.

1591. After a man is appointed to the third class is there any power in the Registrar to reject him if after trial he is found to be unfit for the duties of the office?—Under the recent system a man was there first for six months on probation.

1592. Then you had six months' trial of a man and if he was found unfit for the office, he was put aside?—Yes; a special report was made to the Treasury and to the Civil Service Commissioners that he had not discharged his duties satisfactorily, or that his health was bad.

1593. Is six months' probation sufficient—can you test a man in that time?—Under the Playfair system it is twelve months.

1594. And would you prefer that?—It makes very little difference, I think.

1595. You could ascertain in six months whether a man was fit for the work or not?—I think so.

1596. Now as to the accommodation provided in your office—is the accommodation for the staff sufficient?—I don't think it is. I think the searching room is a very unwholesome and inferior apartment for a large body of men to be in. It is either too hot,

or too cold; it gets full of bad air, and is crowded with pushcart books. A narrow long room that would be very draughty if the window was opened, and very hot if it was kept closed.

1597. How is it heated?—By hot water-pipes, which I think are very objectionable.

1598. Do you think that they are destructive of health?—When I was amongst the clerks myself, I found these rooms to be so.

1599. The Registrar told us that for a short time you tried the experiment of open fires?—Yes. When the General Registry Office was reserved to Charles Mount House we got the upper rooms which they formerly had. These had open fires in them, and we kept them, as being in accordance with a recommendation that Dr. Carrington made at one time, but we were careful to leave none of our original books there over night. They were taken away—the rooms where there were no fires. It happened, however, that one morning one of the joists underneath one of the fireplaces was discovered burning. It must have been on fire for a considerable time, for when the clerks came in they found the flames up through the floor. The Registrar and all of us got so alarmed at this that application was made to the Board of Works to have the open fires taken away, and hot-water-pipes substituted in these rooms, which was done.

1600. And what effect has that produced upon the ventilation and healthiness of the rooms, do you think?—I prefer fire. I don't like the hot water-pipes. I think they dry the air too much.

1601. Have you observed that among the clerks whose duty lies in that searching room there has been unhealthiness?—We have had a good deal of chest disease and unhealthiness in the office, but I cannot say that it has been more than you would find in other departments.

1602. Now, as to the accommodation for the public?—That is very bad. The public searching room is the same size as ours, and there are certainly as many, if not more, people in it.

1603. Do you keep a duplicate set of index books in the public searching room?—Of some of the indexes—not all. For about twenty or thirty years we have a duplicate Consolidated Names Index. We have duplicate Land Indexes, but we don't keep them there.

1604. Suppose one of the public when searching requires to get these books, how are they obtained?—The junior clerks of the office act as porters, and hand down the books.

1605. Have they to go to the library?—Yes, all through the place to wherever the books are, and carry them out on their shoulders.

1606. Mr. LANE, C. S. (Secretary).—How far distant is the library?—About thirty or forty feet I should say.

1607. The VICE-CHANCELLOR.—Your duty also takes you frequently to the room where the deeds are received by the Assistant-Registrars, I should say?—Yes; I have to pass through it occasionally.

1608. So you know what the accommodation there is?—I think the accommodation in that room is not so bad, though the room might with advantage be somewhat larger. In fact, there are none of our offices, on that floor at least, that might not be enlarged with advantage to all concerned.

1609. The Registrar mentioned that there was a good deal of bustling and crowding in that room—people coming in with deeds?—Towards the latter part of the day, when the greater portion of the business is done, there often is crowding. In the earlier part of the day we are generally less busy. Within the past week it has occurred that up to twelve o'clock on one day we had not a deed registered, and in the latter part of the day a crowd came up, and just as in a bank when there is a hurry of business, you will find jostling and pushing.

1610. But do you think that the accommodation is adequate for the purpose?—I think that the business

would be more satisfactorily gone through if we had more men.

1611. Would you approve, of closing the office for the reception of deeds for registration as soon before the general office business closes, so as to give an hour's time at the end of the day—any from three to four—to prepare for the work of the next day?—I don't know that that would make much difference to us. We generally find that we are able to keep the books very well up.

1612. Is there anything new that you would wish to mention to us in reference to the organization of the office—any suggestions that you could give?—Nothing that has not been touched upon by the questions you have asked us, and by the suggestions that the Registrar has given you in writing already.

1613. We would be glad, if anything occurs to you that you think it would be important to state, to hear you?—Nothing more suggests itself to me.

1614. Do you think that the office could be closed at two o'clock on Saturdays without public inconvenience?—It would increase the business on the days of the following week; but when the majority of Government offices in Dublin have that half holiday I think we should not be under an exception.

1615. Do you think the general body of clerks are anxious for it?—I do, and more than that they feel aggrieved at not getting it.

1616. Some complaints were also made by them of not getting as many holidays as they might?—I think they stand fairly well in that respect. The majority of them had last year the maximum amount of leave, or near it, except in cases where there had been absence from illness, or some other good cause.

1617. But are they not considered entitled to thirty-six working days' leave?—Yes. The reason of that is that we have none of the isolated holidays that are given to other offices. The accumulated leave would, under ordinary circumstances be about twenty-eight or thirty days but we get thirty-six in consideration of the fact that we have only two other holidays—Christmas Day and Good Friday—in the year. That was settled by the Treasury.

1618. The additional holidays as vacation were given in compensation for your not getting those isolated holidays?—Yes, the thirty-six days were given in place of twenty-eight or thirty, for that reason.

1619. Mr. MELDOR, Q.C.—But have not other holidays been added since that arrangement was made—Bank holidays for instance?—Not in our office.

1620. I know, but generally?—Yes, in other departments.

1621. In other departments more of these isolated holidays have been given since the arrangement about the thirty-six days was come to in your office?—Yes.

1622. The VICE-CHANCELLOR.—Do you think they could get in addition to Good Friday and Christmas Day (without inconvenience to the public), Easter Monday, and Whit Monday?—I think so, and that they should have as much leave and as many holidays as are given in other offices.

1623. And also St. Stephen's Day?—I do. I have been frequently in the office on St. Stephen's Day when little or no business was done only three or four deeds received. What we do now is, we let as many away as we can for the day and the remainder get the following day. But practically there is nothing doing on these two days.

1624. Do you think it would be considered a great boon by the men if they got these three additional holidays?—I do, and as I said about the half-holiday being withheld from them, they feel aggrieved at not getting all the holidays given to other and kindred departments. For instance, in the Stamp Office where deeds coming to us go first to be stamped and where the same class of the public, to a very large extent do business, they have several holidays which we have not. That is considered a hardship.

1625. Mr. MELDOR, Q.C. W.P.—When you say that determining to go to the Stamp Office first, do they go there on the same day?—Not always, but probably very often, and that may be one of the reasons that deeds are registered so late—that they are brought to the Stamp Office first and on the same day.

1626. The VICE-CHANCELLOR.—Have you, or the Assistant Chief Clerk, any duty to discharge in reference to other office work besides supervising the clerks and in the cash business?—I have on Fridays to check the extra clerks' accounts, and on Saturdays to pay them (and see Ap. to First Report, p. 134).

1627. Do you check the transcribers' accounts?—Yes. I check them all, I look over the account books of the clerks, and the transcripts they hand in, to see that the charges are proper and that they are doing a full amount of work.

1628. You are responsible for that?—Yes, that is portion of my duty.

1629. And does Mr. Fitzgerald make all the payments of the office as cash clerk or accountant?—No, our payments are made through the Paymaster-General, but Mr. Fitzgerald prepares the orders and pay sheets.

1630. Are you paid monthly?—Yes, the Paymaster-General sends up a pay clerk and a porter. The clerk pays the staff, but the transcribers, postmen, and servants are paid by me in the office every Sunday.

1631. Weekly?—Yes. The transcribers give the number of folios.

1632. Which you check?—Yes, and adding that up I see what is coming to each man.

1633. Do you receive any money in the office?—Yes; the salaries of porters and servants, and there are small sums of money, amounting to about £5 or £6 given at a time for what we call incidental expenses.

1634. Does the Paymaster-General supply you with money weekly to pay the transcribers?—Yes. We draw upon him a receivable order. It is signed by the Registrar or Assistant Registrar and countersigned by me or Mr. Fitzgerald and made payable to either of us.

1635. And you have to account for the money so received?—Yes, with the Audit Board. We do that every month.

1636. Mr. MELDOR, Q.C.—Are you aware that in some departments of the public service the clerks are divided into senior and junior classes?—Well, I have heard it, but I have no other knowledge beyond hearing.

1637. Do you know that in some of the departments the junior class men practically do all the work, and that the senior class men merely supervise the junior?—I have heard so, but I have no personal knowledge of it.

1638. In your office there is no classification of duty—the work is interchangeable?—Precisely, and seniority and good conduct here put men from one class into the other.

1639. And you do not think it would be expedient so to allocate the duties as that first class clerks would be given those of the highest class, second class clerks the next in point of importance, and third class men the inferior business?—I do not.

1640. If the Probate offices were removed from Henrietta-street, would that give you sufficient accommodation for the Registry of Deeds?—For some time to come; but the time would arrive, in some years again, when we should require still more room than that would give. Our books are increasing in number from year to year, and these alone require great space.

1641. Would you approve of that course being adopted for the present, or is there any other course you could suggest?—I think it would be most convenient if we could get the Probate offices.

1642. Does it occur to you that there is any other course that could be adopted?—No, unless new buildings were erected.

EVIDENCE.

March 6, 1886.

Mr. Daniel O'Connell.

EVIDENCE.

March 5, 1885.
Mr. Daniel
O'G. French.

1643. Do you happen to know if Dr. Little has been up in the office in Henrietta-street recently, and made a report on its sanitary condition?—Yes; he has been in attendance upon the family of the housekeeper there, and he stated that the ventilation in her rooms was very detrimental to health. We sent the certificate to the Board of Works, and they sent up an inspector the other day who examined the house. But we don't know what may be done yet.

1644. The VICE-CHANCELLOR.—Do you speak now of the housekeeper's department only?—Yes.

1645. He made no general inspection of the office?—No. Two comparatively young housekeepers died there within the last four or five years, and there have been scurvy and fever there since.

1646. Mr. MANNING, Q.C.—Do you happen to know if the sanitary condition of that portion of the buildings is worse than the rest?—Well, the rooms are very small and close. The ventilation in the rest of the building, in some of the rooms at least, is not at all good either. As I said, in the searching room you are either in a draught or too hot, and the public searching room the same way. My own room is too close, and so also is the Registrar's and the Assistant Registrar's. I don't think the ventilation is good, as a rule, throughout the office.

1647. Do you happen to know if any of the clerks adopt any precautions to make the air better than it usually is?—I have seen a little pot of water put near these hot water pipes to moisten the air.

1648. Have you ever seen those burning papers that are supposed to be beneficial, to clear the atmosphere?—I seen one person burning ribbon of Bruges. That was in the Assistant Registrar's office, but it is done, I understand, more to relieve the heavy smell than will arise when a place is crowded.

1649. Could you form any estimate of the number of persons that would be together in the public searching room when it is crowded?—Yes; I should say there would be fully thirty persons in it.

1650. As to vacations—is there not a general complaint amongst the clerks that they don't get their full leave?—They complain that they don't get the whole thirty-six working days; but whenever that is possible they do.

1651. Isn't it a fact, that owing to the pressure of business they are forced to take their vacation late in the autumn, a time that is very unsuitable?—Well, the majority would prefer getting away in August or September. I have had to do with this matter of vacation for some time past, and that is my experience, most are anxious to get away then. It would suit the office better if a system similar to that adopted in other departments were pursued, and that a certain number went in April, so many in May, June, July, August, and September, interchanging their months each year so that the men off in the favorite months this year would be first next year, and so on, subject, of course, to the necessities of public business.

1652. But does not the pressure of business there prevent that being carried out?—Not always. We tried it to some extent last year and we found that it worked rather well.

1653. Could you tell me the amount of money that has been received for stamp duty on memorials since 1853—do you happen to have it made up?—Whether I could tell you that very accurately or not I don't know; but Messrs. Law and Chisholm gave us credit for about £5,000 a year in 1853. That is in respect of stamps for duty connected with the Registry of Deeds Office solely and nothing else. I don't know when the particular Stamp Act that enacted that duty was passed, but I should say that for twenty years at least before 1865, we were receiving about £5,000 a year by reason of duty stamps in addition to fee stamps.

1654. But you have not calculated what I asked?—No. In 1870 there was a new Stamp Act passed that reduced our earnings from stamp duty by about £2,000 a year. Last year we made a calculation that

over and above the fees proper received in the office the stamp duties amounted to £1,000 odd.

1655. And that was a considerable increase over the previous year?—Yes, and I should say that our fees last year were about £15,000. That would be about £19,000 altogether. I think if the fee stamps and the duty stamps arising from the office were taken together we should be found to be on the right side of the book.

1656. The VICE-CHANCELLOR.—Have you been able to form an estimate as to the proportion that the fee stamps bear to the expenses of the office?—Up to 1865 we had a surplus amounting to over £42,000 which was paid into the Treasury. We were obliged to pay in at the end of every quarter the surplus receipts which was a bad system, for it often left us without money. At all events we paid in £12,000, and from that should be deducted about £1,000 we get for constructing indexes and the transcribing of records of memorials. But that leaves about £40,000 up to 1864.

1657. You estimate the income from fee stamps at about £15,000 a year?—That was last year.

1658. And about what was the expense of the office?—Last year the expense of the office would be about £10,000 to £20,000.

1659. And is the difference paid by the Treasury?—Yes; by vote of Parliament in the usual way.

1660. Mr. MANNING, Q.C.—But in addition they get the duty stamps?—Yes.

1661. Mr. MANNING, Q.C., M.P.—Outside of this surplus fund there is a revenue to the Treasury of £4,000 a year over and above the £14,000 or £15,000 a year in fees?—Yes, and the £40,000 surplus.

1662. Mr. MANNING, Q.C.—That surplus was an accumulation up to 1864 of fee stamps, how was it that since 1864 and up to the present time the fee stamps are not sufficient for the maintenance of the office?—The expenses of the office have increased.

1663. It was owing to that increase?—Yes; the larger scale of salaries.

1664. But since 1864 and up to the present time do you think the sum total of the duty and fee stamps would suffice for the expense of the department?—I think it would leave us well on the right side of the book.

1665. Mr. MANNING, Q.C., M.P.—And notwithstanding that the income from the fees alone in 1870 was less than the expenditure of the office, the stamp duty was reduced in that year?—Yes; it was reduced by the Act of 1870.

1666. Notwithstanding that from 1865 to 1870 there had been no surplus from the income of the office?—From 1865 to 1870—no, there was no surplus from fees.

1667. Including the stamp duty on memorials, from 1865 to 1870 the income was not so large as the expenditure—is that not so?—Yes.

1668. And notwithstanding that the revenue of the office was very much decreased by a reduction of the stamp duty in 1870?—Yes. But if you add the stamp duty to the fees for these years we would be about square.

1669. Judge WALSH.—But from 1870 to 1878 there would be a deficiency?—In point of fees there would, but if you add the stamp duty, one year with another, it would put us on the right side of the account I think.

1670. The VICE-CHANCELLOR.—Just for the sake of clearness—there are two classes of stamps, a duty stamp and a fee stamp?—Yes.*

1671. The fee stamps represent the fees which prior to 1864 were paid in cash?—Yes.

1672. And the duty stamp represents what is paid to the revenue?—Yes; and what I said is if you add to our fee stamps such of the duty stamps as are paid simply on account of the operation of the office the aggregate will in or about meet the total expenditure of the department.

* See list of fees, *infra*, p. 135.—R. J. L.

1673. Mr. MADDEN, q.c.—And there is another class of stamp duty derived indirectly from the office—stamps on documents insufficiently stamped—you don't include that?—No—only stamps used for the process of registration.

1674. The VICE-CHANCELLOR.—And outside that the revenue gains by capturing badly stamped deeds?—Yes—they gain greatly by that too.

1675. Mr. MADDEN, q.c., v.r.—Is there any duty stamp on the execution of judgment mortgages apart from the ordinary affidavit stamp?—There is no duty stamp, but there are the Law Founds stamps for which the Registry of Deeds Office should get credit, as unless it were necessary to register a judgment as a

statutable mortgage there, that money would not be payable.

1676. But there is no duty fee?—No—I don't know what process they pass through in the court, in this respect, but there would be no Law Found payable unless there was an affidavit to be registered as a statutable mortgage.

1677. There is no duty on the registration of appointments of assignees in Bankruptcy?—No.

1678. Is there any other process of registration so to speak for which there is no duty charged?—My impression is that Glebe Loans are free also, and other Board of Works charging orders. I do not remember anything else.

EVIDENCE.
March 6, 1880.
Mr. Daniel
O'Connell.

APRIL 22, 1880.

April 22, 1880.

CAPTAIN ASKEY, R.E., of the Science and Art Department, South Kensington, examined.

Captain
Askey.

1679. The VICE-CHANCELLOR.—We are investigating a system of Registration of Deeds in this country, and as part of that system it was proposed that with the original deed a copy of the instrument should be brought in prepared by the solicitor who is bringing it in for registration, which copy would be compared with the original in the Registry of Deeds Office, and preserved there in order to form a record of the deed itself, which would be returned of course to the person who brought it, and it occurred to me to apply some process to the copying of deeds in the Registry of Deeds Office, or in some public department with which it could be placed in connection. Amongst the other things it was suggested that photography might be used; that the process of photography might be made available for the purpose of either copying deeds or multiplying copies afterwards, and as you were kind enough to give us your opinion to-day, I would be obliged if you can tell us whether there is any process of photography that could be made available in that way. What we want in the first place to avoid, is throwing the expense of the preparation of the copy on the party bringing in the deed for registration, and secondly, to depress in the office with the necessity of comparison, for the calculation has been made by the Registry of Deeds Office in Ireland, that it would take at least twelve additional clerks in the office for comparison alone, if that duty were thrown on the department, and besides that it would greatly delay the handing back of the deeds to the parties who brought them in, and who might want them to complete various transactions. I may tell you that the average number of instruments brought in for registration in our office is about sixty per diem. It is a great object of course to have the process of registration of these deeds completed as quickly as possible, and that is the first way we thought this could be made useful. The next step in the Registry of Deeds Office after the deed is noted is to index it, and for that purpose we have proposed an abstract stating a few necessary things—the date of the deed, the names of the parties, the nature of the instrument, and the parcels, and so forth, and that abstract should form the basis of a name index which would give the name of each grantor in the several deeds, and the basis of a land index in which would be opened an account against each townland townland denomination, under the particular denomination in which the townlands enumerated in the deed would be entered. If it were possible to avoid the delay of writing in these indices—for each deed you know might contain twenty townlands, and have to be entered up twenty times in that one index—if it were possible to avoid that by using photography, a great saving would be effected. We communicated with Colonel Cooke, of Southampton, on the subject, and perhaps if I were to read the letters we wrote to him, and those we received in reply, it might elucidate the question. (Read letter of Secretary of Commission to

Colonel Cooke, of 22nd November, 1879. Colonel Cooke's reply, of 24th November. Letter from Secretary to Colonel Cooke, of 2nd December, and Colonel Cooke's reply of 22nd December, with abstract of cost of process of photography as applied to the purposes of the Registry of Deeds Department, *infra* pp. 130-131.) Now, though it seems very moderate when so much a page is mentioned, the cost of £15,000 a year is rather large, and put it out of our power to recommend it. It seems a heavy sum. I suppose I may put questions to you, since I do not know the scope of your inquiry. The VICE-CHANCELLOR.—Oh! certainly.

Then I should like to know whether your deeds are always written on two sides?—The VICE-CHANCELLOR.—I may say they are; you may take that as the rule.

Captain Askey.—That cuts off one process of photography, which if it had been applicable would have been very cheap, and would have suited your requirements, I think, to the letter. If your deeds were written only on one side they might be copied by an ordinary printing process, and you would have an unimpeachable facsimile, but that can only be done where the second side is not covered with writing. You say both sides are covered, and that therefore cuts off a very cheap mode of reproducing deeds—really, a ridiculously cheap mode.

1680. The VICE-CHANCELLOR.—Supposing the deeds are on one side only, how would that process be worked out—what is the nature of the process?—It is a slow process which reproduces the deed and the writing in ink—ordinary writing ink.

1681. Is that permanent?—As permanent as the ordinary ink, and I suppose the deed is written in ordinary ink, and that that would be sufficiently permanent for your purpose. The method of doing it is simply this: you have the paper prepared with salt of iron, you place it on the back of the deed and print through it in the ordinary way by any light you like.

1682. Mr. MADDEN, q.c.—You don't take a glass negative?—No.

1683. Judge WALKER.—Is that permanent?—Yes, as permanent as ordinary writing ink.

1684. The VICE-CHANCELLOR.—Is that an expeditious process?—Very expeditious, but it is entirely out of the way if the deeds are written on the two sides of the paper.

1685. It would not be possible to interfere with a similarly prepared sheet of paper, having on the one side the back written and on the other side the front written?—No, it is altogether out of the question.

1686. Mr. ARMSTRONG.—By a second operation or printing would it not be accomplished?—No; the two writings would fuse, one would go through to the other.

Mr. MADDEN, q.c.—It would be worth while to

Q 2

ENAMINE.

April 22, 1898.

Captain
Alney.

consider whether an extra tax might not be imposed on the deeds written on the two sides.

Captain Alney.—That is for the Commissioners to determine, but that mode is entirely out of the question when the deed is written on the two sides.

1687. THE VICE-CHANCELLOR.—Could you form any idea of the expense of reproducing a page in that principle?—Always supposing it to be written on one side, I should say about 3*d*, and I suppose I have over-estimated it at that.

1688. Does anything else occur to you; any other process?—Well first of all I don't see it is necessary to use glass at all. I think for purposes of this kind what we call paper negatives might be available. I am afraid I have to speak of myself in this, because lately I worked one for the Meteorological Office a new paper process which is as rapid as the glass process, and which has this great advantage, that you can store your negatives in a much smaller space. They are perfectly translucent and can be stored as negatives just as the glass. The paper is prepared with silver, brown-iodide, and the development takes place just as if the glass were used.

1689. MR. MANNES, Q.C.—But that paper, when stored, would afford you a negative to print from?—Yes. I was going to divide my remarks into two portions: the first as to the production of the negatives, and the positive copy or facsimile of the deeds from the negatives. Of course the glass negative is a very great advantage in many ways, but I think as regards matters of this kind the great delicacy of detail you will get in glass is not absolutely necessary. The delicacy of the paper negative is quite sufficient for copying purposes.

1690. Judge Walsh.—You see there are some interferences in the deed before you, would that make any difference?—No; it is common, comparatively speaking, but if you have got to divide the book into a thousand parts and having read each division distinctly, I call that delirious, and nothing under that is delirious. Next it would be cheaper using paper than glass, and then there would be a great convenience in storage of the negatives. They are perfectly permanent and reliable, and are easy to examine. Supposing then that a negative has been got, I think when you want so very few copies as from one to six photostereography is too expensive to be brought into operation. I would not dream of using it, in the production of so few copies, for my own purpose. When I was at the Glasgow head of the photographic department, I should—speak colloquially—have been lauded over the coals if I had used such an expensive process as photostereography for the production of these copies. There is another process which I think would be more suitable, the platino type process which is thoroughly permanent, and about two-thirds of the expense of the silver process. The prints are produced on platinum black, the most permanent metal we have.

1691. VICE-CHANCELLOR.—Can you give us an outline of the nature of that process?—It is an iron process too, the negative is printed in the usual way by light.

1692. Do you require glass for that?—No; the paper negatives will do equally well. By the platino type process you can produce a black copy in a much shorter time than you can a silver print. In fact you could almost do it by gas light if you like. You would not know a print from a photostereograph as far as colour goes.

1693. And would the copy be permanent?—Perfectly; the copies by photostereography are only in carbon and those I speak of are in platinum black. It is utterly beyond the attack of acid or anything of that kind. There is another way you can produce prints, always assuming that you have the negative, either paper or glass.

1694. We may assume that a paper negative would be quite sufficient for any of your purposes?—Quite sufficient. The other process is, instead of going as far as transferring—placing the photostereographic

transfer to the zinc, stop short there, and take what has been called a *photograph*.

1695. Which of the three processes do you think would be most suitable for our work?—I have only referred to two which I think are suitable for the reproduction of deeds that are written on both sides.

1696. Yes, and you spoke of the photostereographic process as well?—Yes, and I put photostereography out of the case because, in my opinion, it is too expensive where you only require three or four copies.

1697. And of the other two processes which do you think is most suitable?—The platino type process.

1698. And what would be the probable cost per page of a deed by that process?—Well, the price of copies increases, not proportionally to the size. If you produce a copy six inches long it may cost 1*s*, but if you produce one a foot long it may cost 3*s*. It is about that ratio.

1699. Taking the negative film at the foundation of every process?—Unfortunately it does.

1700. And taking a paper negative have you the power of reducing it?—Oh, certainly.

1701. Is a number used in each case?—Yes.

1702. Therefore, you can reduce the size to whatever is convenient?—Yes.

1703. Supposing we assumed that the reduced size we required was that of the paper before you, what would the cost be including the negative and all?—Well, in that you have to include the expense of labour, and I should not like to answer such a question on the spot at the moment.

1704. Judge Walsh.—And would that labour be necessarily the labour of skilled persons?—Not very skilled persons, but of course persons who would be able to take ordinary negatives.

1705. MR. MANNES, Q.C.—Could you tell us the ratio of the expense to the photostereography—would it be half the expense?—Well, if you give me the details which Colonel Cooke furnished you with I will tell you what you could set out of that.

1706. VICE-CHANCELLOR.—Here is Colonel Cooke's letter with the abstract of details. (*Legis* p. 131.)

1707. Captain Alney.—All that part (pointing to document) would go out entirely.

1708. VICE-CHANCELLOR.—That is the transferring to zinc, proving and printing would go out?—Yes, and also the superintendence of the printing. I should say the estimated cost of materials would be certainly reduced by one-half. One copy of the deed—the absolute printing of one copy—would not cost more than 3*d*, that is when the negative is produced.

1709. Fourpence per page?—Yes, for I take it that a charge is put on for supplying additional copies.

1710. I suppose you don't give them for nothing?—Oh, no. We have a great many of these things to do at Chatham, and we debit the cost of the negative as so much, and then reckon that we shall sell five or six copies, and we need to add the price of the negative on to the price of the actual copy so as to recoup ourselves. By that means we never get into debt. We always recoup ourselves. Sometimes twenty copies would be required—sometimes only one, but dividing it in that way over the whole we arrived at an average, and in the result recouped ourselves.

1711. MR. MANNES, Q.C.—Our great object is not so much to have the power of multiplying copies, as to preserve, at any rate, one facsimile of the deed. Provided the deed was all on one side, you suggest a means by which we could make that one copy, and other copies could afterwards be supplied as they were wanted in manuscript?—Quite so. But as I have said I am afraid you cannot do that without the negative, unless the deed is on one side.

1712. MR. LANE, Q.C. (Secretary).—Would your paper negatives keep?—Oh, certainly.

EVIDENCE.
April 27, 1873.
Captain
Abbey.

on one side, and there are, I fancy, certain regulations respecting the use of coloured inks, and that they must use black ink.

1740. But, suppose, we were to suggest that deeds for the purpose of registration, should be written only on one side, would the first process you mentioned be the cheapest and best available?—Oh, certainly.

1741. Mr. MANNING, Q. C.—You only have to place the negative paper under the deed, and the action of the light given you a facsimile?—Yes.

1742. And could that be done so matter how thick the parchment was?—Oh, that does not matter.

1743. There is no possibility of reproduction?—No; but you can take another copy from the one you have got.

1744. The VICE-CHANCELLOR.—We could suggest that copies should be given at a cheap rate of deeds written on one side only, and that for copies of other deeds the charges would be greater.

1745. Mr. MANNING, Q. C.—You said already that the copy is perfectly permanent?—Perfectly.

1746. I refer to this matter because we have had some evidence upon the question—whether anything produced by chemical change in the paper would be permanent, as these copies for registration must be?—It is not a chemical change in the paper. It is merely the reproduction of ink, and it is as permanent as the original ink from which the copy is taken.

1747. Could you explain what the process is—how the ink is reproduced. Supposing this deed (document handed to witness) came into the office written on one side how would you proceed to take the copy?—I should have my sensitive paper prepared. It is prepared with acetate of iron, which is a perfectly neutral salt, and has no chemical effect on the paper. Then I should expose it to the light, and where the light has not acted, the iron would remain unchanged.

The preparation of iron is so made that when you bring gallic acid into contact with it where it has changed, ink is produced, and where it has not changed there is nothing produced, so that really it is black and white.

1748. And the copy would be the same size as the original deed?—An exact facsimile.

1749. Judge WALTON.—And you say that this could be done by daylight?—Yes, daylight would do at a pinch, but it would take so much longer.

1750. The document that has been handed to you is a respectable sample of a deed, but we get deeds of different sizes and on different descriptions of paper, from ordinary letter paper up to the largest skin, would that make any difference in the application of this process?—No, but it must be recollected that this process can only be applied when these deeds are written on the one side.

1751. The VICE-CHANCELLOR.—About how long on an ordinary bright day would it take to copy a deed by that process?—I suppose about five minutes; but the great drawback is you must have a clean back to the deed—no writing on the back, because this (the indorsement) would be detrimental.

1752. Judge WALTON.—We would have to make rules like the Patent Office?—Yes, I believe they are stringent in the Patent Office, and strict also in the colonies, the Patent Office rules are even more strict still. I know that because some of my apparatus went out to work there.

1753. Mr. ARTHURSON.—Is this a very recent discovery, Captain Abbey?—Well, really in photography there are whole new discoveries nowadays, although frequently we have rediscoveries. A thing is worked for a short time and forgotten, and is brought out again by somebody years afterwards as something new. I should say the same applies to this.

PART OF LETTER to the REGISTRAR.

19, Essex-street,
15th November, 1873.

SIR,—I am directed by the Commissioners to say that it is their intention to examine, in reference to improvements in the organization of your office, one clerk from each department of the office, *i.e.*, from the Registering, Indexing, Searching, and Transcribing Departments, such clerk to be selected by the clerks of the department; and further, that they will receive any recommendations, in writing, of improvements in the organization of the office, from any of its officers. I am further directed to request you to communicate

these matters to the officers and clerks, and to ask the clerks of the departments to make their selections with as little delay as possible, which is good enough to furnish me with when you receive them.

* * * * *

I am, sir, your obedient servant,

R. J. LANK, Secretary.

The Registrar of Deeds.

MISCELLANEOUS.

MISCELLANEOUS.

CORRESPONDENCE WITH THE INCORPORATED LAW SOCIETY.

15th November, 1879.

SIR,—I am directed by the Commissioners to inform you that they will receive any recommendations, in writing, of improvements in the organization of the Registry of Deeds, with which any member of your society may favour them; and I have to ask you to convey this intimation to your members with a request

that their recommendations may be furnished me, with as little delay as is convenient to them.

I am, sir, your obedient servant,

R. J. LANE, Secretary.

The Secretary
The Incorporated Society of Solicitors
and Attorneys of Ireland.

BUSINESS OF THE COUNCIL OF THE INCORPORATED LAW SOCIETY OF IRELAND.

The chief subjects to which the Council desire to draw the attention of the Commissioners are:—

1. The insufficiency of the Staff in the Registry of Deeds Office to discharge the work of the office with facility and despatch; and
2. The inadequacy of the accommodation afforded for that purpose.

(1.) With regard to the first subject, the Council are of opinion that the public, who have occasion to use the office, and are obliged to pay large fees in stamp duty for the transaction of their business, are entitled to have the same so paid applied solely to the working of the department in respect of which the fees are so paid, so as to insure the greatest efficiency in the despatch of their business.

If the profits of the office are sufficient to admit of their being applied to other purposes than the efficient working of the department,* then the Council think the fees should be reduced to such an amount as would be sufficient for that purpose, as it is unjust to tax such of the public as are obliged to use the office (i.e., those interested in the transfer of land) for the benefit of the public in general; but the Council are of opinion that it would be better to allow the fees to remain as they are at present, and apply the surplus to the more efficient working of the office.

The Council believe that at the present time the work of the Registry of Deeds Office is hampered, and that the public who use it are inconvenienced, by the insufficient number of clerks employed. There are four vacancies in the office, as appears by the return annexed to the Commissioners' Report; and these vacancies have existed for several years, to the detriment of the efficiency of the department—a state of things which the Council consider strongly to be deprecated.

In contemplation of the steady increase of business in the Registry of Deeds (the number of deeds registered have increased from 12,034 to 10,144 in five years), the number of the staff should have been augmented

and not diminished; and the Council believe that if the money expended from time to time in Commissioners, Parliamentary Returns, and imperfect mechanical experiments had been applied to the increase of the working staff of the office, the public who are interested in its efficiency would have been satisfied, and ingenious but impossible schemes intended to hasten the business would never have been heard of. The Council desire to press this matter upon the attention of the Commissioners, and venture to hope that they will bring it under the notice of the Government, with a recommendation that the grievance complained of may be redressed.

(2.) The second point to which the Council desire to draw attention is, the inadequacy of the accommodation afforded for the transaction of the business of the department, and which in itself is a great obstruction to its efficient discharge, and is also seriously prejudicial to the health of the officials. It would seem to the Council that the proper remedy for this evil would be the removal of the offices of the Probate Division of the High Court of Justice to the Four Courts (which would be a much more convenient situation than that which they occupy at present), and the use, by the Registry of Deeds officials, of the rooms so vacated. It is highly inconvenient to have the offices of the Probate Division so far removed from the other branches of the High Court of Justice, of which it forms a part, and this is particularly felt when the Court is sitting. Besides, in searching for wills for a period of more than twenty years, the search has to be continued in the Record Department at the Four Courts, to which the offices of the Probate Division ought certainly to be adjacent.

The space which would be afforded by this change would give ample room for the operations of the Registry of Deeds Office—one of the most important of the public departments, connected as it is with the landed interests of this country.

Solicitors' Buildings, Four Courts,
Dublin, 11th February, 1880.

In consequence of the intimation from the Commissioners, contained in the letter of the 15th November, 1879, on the opposite page, a clerk was selected for examination by the clerks of each Department in the office, viz.:—Messrs. Layne, Taylor, Arundell, and Boardman, who were respectively examined by the Commissioners, and their evidence will be found in the Appendix (supra, pp. 80 to 96), and the following statement and memorial were sent in.

R. J. LANE, Secretary.

STATEMENT OF CLASSIFIED CLERKS IN REGISTRY OF DEEDS OFFICE.

The classified clerks of the Registry of Deeds Office beg leave to place before the Royal Commission the following statement respecting their salaries, privileges, and classification.

The Department has been stated by a Select Committee of the House of Commons (6th July, 1832), to be an office of the first importance, embracing in its

operations the entire Landed Property of Ireland. These operations demand on the part of the staff, not only ordinary zeal, intelligence, and care, but also a large amount of special technical skill, and involve a degree of responsibility which is not attached to clerical duties in any other Department under the crown. They might quote abundant evidence as to

* See Parliamentary Return, C. No. 144-73, showing the Profits of the Registry of Deeds Office (from 24th May, 1830, to 31st March, 1865, &c. to 420,213 24s. 11d.)—R. J. L.

MISCELLANEOUS.

the faithful and satisfactory manner in which their official duties are performed, but on this point they need not go beyond the kindly testimony borne in their favour by the Report of the Commission. Under these circumstances they feel justified in bringing under your notice the peculiarly hard and anomalous position of the clerks.

At present the numbers and salaries of the respective classes are as follows:—

Class	No.	Salaries.	Income.	Advances.
First Class.	10	£ 585	£ 15	£ 450
Second Class.	15	231	10	240
Third Class.	34	59	10	300

They need hardly point out that the great disproportion in numbers between the senior and junior classes affords to the latter, but very small prospect of promotion. As a matter of fact there are twenty gentlemen in the third class with service varying from twelve to nineteen years, who cannot at present, or in the immediate future, look forward to any such improvement in their position as they might expect from the length and nature of their service.

The following table will show how much more favourable is the condition of other Departments whose duties cannot be considered more valuable, either in their national utility, or in the personal responsibility entailed on those engaged in them.

Department.	Class.	No.	Salaries.	Income.	Advances.
Paymaster-Gen'l Office.	First Class.	14	£ 495	£ 35	£ 600
	Second Class.	18	360	15	375
Custodial Office.	Senior Clerks.	4	555	15	560
	"	1	300	15	400
	Junior Clerks.	3	95	10	200
	"	2	102	10	212
National Education Office.	First Class.	9	515	15	560
	Second Class.	25	99	10	300

The ones cited above present three features of superiority.

1. A higher maximum salary.
2. A more equally distributed classification.
3. A more liberal system of increments.

They would therefore respectfully submit—that the present position of this office is altogether inadequate to its size and importance. That to place it on an equality with other departments, the staff should be divided into two classes, so proportioned as to admit a greater facility for promotion than that offered by the present classification. That the maximum salary of each class should be equal to that of the corresponding classes in departments similarly divided. And that all increments of salary should be increased after eight years service.

With regard also to annual leave they find themselves at a serious disadvantage. (See Registrar's Returns, Appendix to former Report, p. 126.)

The hardship here mentioned of being excluded in their ordinary leave by the pressure of official business, is intensified by the fact that, not being in possession of the Saturday half holiday, and the periodical holidays usually accorded, the clerks in this office actually contribute more than thirty days work annually, in excess of that given by other Government officials.

This state of things requires no comment. They feel that in seeking a remedy, they are only asking for justice, and not for any special or exceptional privileges. And therefore they most confidently hope that the members of the Royal Commission may see fit to recommend such a re-arrangement of their salaries and classification, and such an extension of their leave privileges as may place them in a position commensurate with the grave importance and the serious responsibility of the duties they are called on to perform.

This statement was sent with a letter dated the 18th November, 1879, signed by the following clerks, viz. :—

THOS. TAYLOR
MICHAEL LYONS.
J. H. SUTHERS.
C. M. ARNOLD.

MEMORIAL OF TRANSCRIBERS IN REGISTRY OF DEEDS OFFICE.

SIGNED,

Whereas the Transcribers in the above Department receive only three halfpence per folio for work actually done and approved, those holding a similar position in other Departments receive in addition to this either fixed or progressive salaries.

Solicitors usually pay three pence per folio for the work which we transcribe at three halfpence per folio.

The present scale of remuneration (three halfpence per folio) was fixed so far back as 1847, and no improvement whatever has since been made in our position.

A folio consists of seventy-two words, and these alone are paid for. No allowance is made and no remuneration given for the memorial headings which frequently are of considerable length, especially of late years, by reason of the numerous societies, companies, &c., which have come into existence. Such headings are required to be written with the utmost care and neatness. Each of these headings was formerly allowed to count as two folios, and would, therefore, if paid for at the present rate, make a difference to a Transcriber (writing an average of thirty memorials per week), of about twenty pounds per annum.

The Transcriber himself has to prepare, without remuneration, the parchment he has to work on. This necessarily occupies considerable time when it is remembered that about 1,900 pages are thus prepared annually by an average Transcriber.

The records of legal documents registered in the office cover a period of 170 years. Portions of these old records have become almost entirely illegible, and yet when attested copies of such documents have to be made, the Transcriber receives only the same rate of remuneration as that granted for an ordinary document which there is no difficulty in deciphering, although his earnings at the former would not, perhaps, amount to more than one-third of those at the latter work. Moreover, each of these attested copies must be carefully indorsed, and this indorsement is not paid for. These attested copies, for which the office receives six pence per folio, constitute a considerable portion of the work which the Transcriber has to perform. On each of these copies there is an impressed stamp, value for one shilling, so that if any mistake occurred, entailing the cancelling of the stamp, whoever is unfortunate enough to make such mistake must pay out shilling and forfeit all the work he had done on the page bearing this impressed stamp.

At present we are not paid for holidays, which will become a very serious matter for us when all bank holidays and Saturday half holidays will be granted to the Department. We should be paid for such days as in all Government Departments.

The class labours under a most serious and, we believe, exceptional disadvantage in having no regular salary. The longer a person serves the less he is able to earn through old age and infirmity. Long service, which is rewarded in every other branch of the service, is not recognised in our case.

And in like manner from the uncertain nature of the supply of work, the earnings may, at any time, be so reduced as to be utterly inadequate for one's support—instances having occurred when we were unable to earn more than 10s. or 15s. per week through want of work.

Arrears could always be avoided by giving the clerks access to their notes, and work, say, from nine to five o'clock. This would not interfere with the other branches of the Department. The present hours cause too great a strain on the most expeditious writers.

By permitting the Transcribing Clerks to carry on the composition of their work, making an allowance of, say, one halfpenny per folio for this duty, all transcripts laid before the public would be reliable. This

practice is carried on in other offices, such as the Probate Offices and Courts. At present two clerks are engaged in comparison, about one-fourth of the work only being compared, to the great inconvenience of the public.

Should Memorialists have so far succeeded in this Memorial as to obtain the favourable consideration that their duties are equal to those performed by a similar class in other departments of the public service, they would respectfully call attention to the fact that their payment and prospects form a marked contrast to the scale and payments accorded to such departments.

Memorialists therefore pray that their case should be taken into consideration, and such an improvement made in their condition as will remove the disadvantages under which they labour, and afford them the same benefits as are enjoyed by the officials of other departments.

Edward Walpole, John Traynor, James Richards,
Jos. N. Flynn, Jos. A. Ratigan, Michael
Lyons, J. Boardman, Thomas J. Maginn,
Denis J. Maginn, James J. Schum, Jno.
Manroe, H. Moran, Thos. Coghlan.

4th Dec., 1879.

REPORT OF DR. CORRIEON.

4, Merrion-square, West,
February 26th, 1880.

MY DEAR SIR,—In compliance with the request of the clerks in the Registry Department, conveyed to me with your permission, that I should visit the offices in which they were engaged, and give my opinion and suggestions as to the present mode of heating and ventilation, as they concerned the air and present arrangements were injurious to their health, I this day visited the offices referred to, and beg to make the following observations:—

The rooms I visited were:—

1. The Searching Room.
2. The Library and Index Room.
3. The Transcribing Room.
4. The Record Room.

They are all heated by warm water pipes. The two first contain great numbers of protruding books, and the odour from so large a quantity of animal skin is necessarily and ever must be oppressive: the air more or less loaded with it will be at all times disagreeable, and the breathing of it for a lengthened time must I believe exercise, although a slow, an injurious effect upon respiration and health.

The compartments into which one of these rooms is divided renders a free and full supply and circulation of fresh air without draughts very difficult if not impossible, for fresh air when let in must sweep along in cold currents between the partitions. The simple and obvious mode of remedy would be to have the clerks employed in copying placed in one or two very large and lofty apartments without the obstruction of compartments, with the whole body of air in full and free circulation around them, the parchment books being kept in their present places, and none brought into the clerks' copying rooms except those in immediate use. This copying room might be provided with the open fireplace, and that is the course for the health of the clerks I should advise. If this be impracticable just now, open fireplaces in the present apartments would be preferable to the system of heating by hot water pipes, but as there may be objections to permitting open fireplaces in the apartments in which books and deeds are kept, I take the liberty of offering some observations and suggestions to what I believe would be improvements in the present mode of ventilation pending the providing a large apartment for the clerks. In the present state of the apartments, with the exception of the searching room, in which

ventilating funnels have been lately opened near the ceiling, and which the gentlemen engaged in the room tell me have improved it, the only mode of ventilation is by occasionally opening the windows and doors. The ventilators in some of the windows are very ineffective. The windows are so constructed that the top cannot be let down without at the same time raising the lower portion to the same extent. Several clerks have their writing desks close to the windows, the result is this, the windows are kept closed as long as the want of ventilation can be borne, as the clerks near the windows could not bear the cold air rushing against their legs; when the want of ventilation becomes oppressive the windows are opened for some time, the draughts of cold air are then great and sudden, and thus arise sudden alterations of heated and cold air, of pure and bad air which are injurious to health. The ventilation of all the rooms might I believe be much improved by making it continuous and moderate, by permitting fresh air to be continually entering without interruption, and the foul air escaping in like manner; the sudden alterations will then be obviated. I believe this can be effected by introducing in every window in the top sash, one or more panes of punched (not perforated) zinc, instead of one or more of the present glass panes. The zinc should be punched with holes one-twelfth of an inch in diameter and half an inch asunder; when set up the bars made by the punch should not be filed but left projecting, and when the panes are inserted, the side on which the bars are is to be on the outside; the bars effectually prevent the admission of rain, and the openings being half an inch asunder transmit the fresh air in so many small currents, that a sudden draught of cold air in a mass is obviated. Similar panes (but the bars are not necessary), should be substituted for the upper panes in all the doors. I speak from experience as to this mode of ventilation for crowded or close apartments, as for many years it has been in action in the hospitals of the House of Industry, with which I am officially connected, and having recommended its introduction in a large school a few years since, where the teachers suffered much from heavy pain across the brows while the windows were kept closed, and from sudden and injurious draughts of cold air when they were opened, these inconveniences, when the zinc panes and panels were introduced, ceased.

There must, however, be an additional provision for escape of foul air in the Library and Index Room, in

MISCELLANEOUS.

the Transcribers' Room, and in the Record Room, for in two of these rooms the ceiling is, as nearly as I could calculate, six feet above the top of the windows, and in the third about three feet. The result of this proximity is, that the air heated and rendered impure by respiration rises to the top, remains there as in a large reservoir, without any mode of escape until it has cooled, when it falls to be breathed again, and produces all the bad effects of closely impure air in those breathing it. To obviate this it will be necessary to introduce clean to the ceiling, in the wall, some

pouched zinc ventilators to permit the immediate escape of this impure air.

I think it would be also very useful to provide the lobby windows with similar plates.

I am, my dear sir, yours very truly,

D. J. CONNAGH.

Morgan O'Connell, Esq.,
Registrar of Deeds, &c., &c., &c.

LETTER FROM J. P. KAVANAGH, ESQ., SOLICITOR.

13, Bachelor's-walk,
Dublin, 24th April, 1879.

DEAR SIR,—I beg to direct the attention of the Royal Commissioners in relation to the Registry of Deeds to the really scandalous accommodation provided for solicitors when they go to register their deeds in Henrietta-street. On yesterday I happened to be obliged to register a deed myself, because I witnessed the execution of it by all the parties. When I went to the Registry Office (Mr. Eas being the Acting Assistant Registrar) the little apartment in which I had to stand to wait for my time was literally crammed with people. I counted at one time while I was waiting no less than seventeen persons (solicitors and their clerks all huddled together), and when I state, as I do now, that these seventeen persons had to stand together in

a small apartment, which was supplied with only borrowed light, which had no ventilation whatever, and which was only about ninety inches long by seventy inches wide, and that I was myself obliged to remain there for an hour and a quarter, I think I have made good my statement that the accommodation afforded is "really scandalous."

I therefore beg, through you, to direct the attention of the Royal Commissioners to this matter in the hope that something may be done to remedy the inconvenience, and remove all just cause of complaint.

I am, dear sir, your faithful servant,

JOHN P. KAVANAGH.

R. J. LANE, Esq., Secretary.

Registry of Deeds Office,
8th December, 1879.

SIR,—As the officials of the Registry of Deeds Office have been informed that the Royal Commissioners will receive communications from them with regard to the working of the department, I, as one of them, would wish to make a few remarks on a point that has already been referred to by the Registrar on page 146 of the report already issued. I allude to the insufficient accommodation and unsalubrity of the building in which we are located. It may be accepted as a proof, I think, that the office is unhealthy, when within the past twenty years out of a staff of sixty-five clerks, fifteen have died, the great majority of these being young men, and the chief cause of death chest disease in some form or another. The causes of this unsalubrity are, I think, chiefly four, viz. —

1. Overcrowding.
2. Inefficient ventilation.

3. The effluvia from an immense quantity of old parchment volumes in the rooms where we are at work.
4. The system of heating by hot-water pipes.

By far the most defective parts of the place in these respects are the public and official searching rooms, of which I can speak from experience, my post for seven years having been constantly in one of them.

I do not think that this great drawback to the efficiency of the department has been sufficiently dwelt upon, and it is in the hope that these remarks may add force to the suggestions of Mr. Dwyer, and hasten the much-needed alterations in the building, that I trouble you with them.

I am, sir, your obedient servant,

JOHN RAMEY, Clerk (2nd class).

R. J. LANE, Esq., Q.C., Secretary,
Registry of Deeds Commission.

CORRESPONDENCE in reference to getting COPIES of MAPS on MEMORIALS.

In consequence of a complaint by Mr. Horace Wilson, of No. 94, Lower Gardiner-street, Dublin, solicitor, of his not being able to get tracings of maps on memorials in the office, he was requested to send a statement of any inconvenience to which he had been subjected, in reply to which he wrote as follows:—

94, Lower Gardiner-street,
1st May, 1879.

Temple Chambers, 19, Eustace-street,
Dublin, 24th November, 1879.

A correspondent wrote to me to get a copy of a certain memorial and of the map thereon for a client of his. Some years before seven members of the client's family had divided a plot of freehold into seven plots, and executed a deed referring to the plots as set out in the maps on the deed and memorial. His client had not the deed and did not know his rights. I got a copy of the memorial but was not allowed to make a tracing of the map, nor could the office supply one, the copy memorial was therefore simply useless.

My tracing was taken from me by Mr. Ray. The poor man (it was only a question of six acres) could not obtain a knowledge of his rights, yet the deed and memorial were not in any way defective or irregular.

SIR,—I am directed by the Commissioners to say that it has been represented to them, that in case of a map being upon or attached to a memorial no copy of the map is given, or allowed to be taken, with the copy of the memorial, the Commissioners, if such a practice exists, are anxious to know the cause of it—whether many applications have been made for such copies, and whether any complaints have been made of inability to get them.

They would ask you to have the goodness to say whether maps are often annexed to memorials, and how many of the memorials of this year have had such maps upon or annexed to them, or refer in the body of them to maps upon the deeds.

I am, sir, your obedient servant,

R. J. LANE, Secretary.

The Registrar of Deeds,
Henrietta-street.

HORACE WILSON.

Registry of Deeds Office, Dublin.
26th November, 1879.

SIR,—In reply to your letter of 24th inst., I beg to say that we do not give copies of the maps attached to memorials, or allow copies of them to be taken under any circumstances. To give copies of the maps would require specially trained clerks in the office for the purpose, and to allow the outside public to copy them would subject the memorials to the risk of being pilloled, and otherwise injured and defaced. The original memorial is always available for inspection, and ready to be produced in Court when required.

So far as I am aware the applications for such copies

are extremely rare, and I have not heard of more than one complaint of inability to get them.

Maps are not often annexed to memorials. To ascertain "how many memorials of this year have had such maps upon or annexed to them, or refer in the body of them to maps upon the deed," would necessitate the examination of over 14,000 memorials.*

I am, sir, your obedient servant,

M. F. DWYER, Registrar.

The Secretary, Registry of Deeds Commission.

* It was consequently not required.—R.I.L.

EXTRACT FROM LETTER sent to the REGISTRAR OF DEEDS.

7th November, 1879.

SIR,—I have been directed by the Commissioners, to request you to have the goodness to send them for their guidance, a statement of the changes in the staff and arrangement of your office, which you think would be required:—

1st.—If the changes proposed in their report of the 12th August last, are carried out.

2nd.—If the system of registration at present pursued in the office, is continued.

I am, Sir,

Your obedient servant,

RICHARD JAS. LANE, Secretary.

The Registrar of Deeds.

STATEMENT as requested by COMMISSIONERS' LETTER of 7th November, 1879.

The changes recommended by the Royal Commissioners in their Report of 15th August, which appear to me as likely to cause any material or specific increase in the business of the Registry of Deeds Office, are the following:—

1st.—The comparison of the copy of the Instrument with the Instrument itself—and of attested copies of same as required from time to time.

2nd.—The identification of the lands with the Ordinance Description, more particularly before registration.

3rd.—The registration of Caveats, Wills, Lis Pendens, Crown Bonds, &c.

4th.—Having to enter the lands under about 63,000 different headings, as proposed for the Land Index, instead of 8,700 headings as at present, would increase the labour in this branch of the business, inasmuch as the process of distribution would be more minute and elaborate.

In reply to first query, therefore, I consider that an addition of *from ten to twelve staff clerks* at least, would be necessary to meet the increased labour arising under the above several heads, mostly from comparisons.

The higher ministerial duties of the Recording Officer, in reference to past transactions, would, I presume, after the remission of the books of the Record of Title Office to this department, devolve upon the Registrar of Deeds, who would probably require the assistance of a clerk in connection with this class of Records. An additional book porter, or perhaps two, would probably be also necessary.

The above additions would not involve any change in the staff or arrangements of the office.

In reply to the second question. If the present system of registration be continued no change in the staff and arrangements of this department will be necessary. I have indicated in my reply to Return No. 8 of the returns furnished by me to the Commissioners, on 15th June, 1878, and which will be found at page 126 of their Report, the circumstances under which additions, permanent or otherwise, to the staff of this department would be needed.

M. F. DWYER, Registrar.

Registry of Deeds Office, Dublin,
8th November, 1879.

9th December, 1879.

SIR,—I am directed by the Commissioners to ask you to send me, at your earliest convenience, copies of sixty consecutive abstracts of recent date, which may be taken to represent a fair average day's work in the office.

I am also desired to ask you to send me a return giving the dates of the first appointments, and of the several promotions, respectively, of all the clerks and officers in the Registry of Deeds Office.

I am, Sir, your obedient servant,

R. J. LANE, Secretary.

The Registrar of Deeds,
Henrietta-street.

† These copies, afterwards sent in, took up 22 pages, in a parchment book, 12½ in. by 9½ in., and were in the present form of the Abstract Book, as follows:—R.I.L.

Year and Day of Registering, Volume of the Year, and Number of the Memorial.	Name of the Instrument.	Date of the Instrument.	Names of the Grantors, and one or more Grantees.		Consideration, Rent, Ransom, Fines, &c.	Name, Description, and Situation of the Premises.	General Nature of the Instrument, whether Free, Mortgage, Leasehold, &c., or Absolute Conveyance.
			Grantors.	Grantees.			
1878 B. 10. 6th January.	Mortgage Satisfaction.	1878. June 1.	Robert, John, O'Brien, Wm.	James, J., and another.	Consideration, Mortgage.	Claregalway, with its environs, in the County of Dublin.	Mortgage Satisfaction.

REGISTRY OF DEEDS, IRELAND

Bureau of Deeds of Commissioners and of Registrars, respectively of Offices and Clerks, pursuant to direction from Royal Commissioners, in their letter of 24 December, 1879

NAME, &c.	Date of their Appointment	Residence (1879-80)	Residence (1879-80)	Residence (1879-80)	Residence (1879-80)	Residence (1879-80)	Residence (1879-80)	Residence (1879-80)	Residence (1879-80)
Commissioners									
Michael F. Doyle	18th Oct., 1871								
Registrars									
Thomas M. May (C.)	1st May, 1871, (as Deputy Clerk)	First Class, (under)	"	"	1st Class, Brighton, 14 Dec., 1870.	"	1st Class, Brighton, 14 Dec., 1870.		
John J. Kelson (C.)	1st May, 1871	First Class, (under)	"	"	1st Class, Brighton, 14 Dec., 1870.	Chief Clerk.	1st Class, Brighton, 14 Dec., 1870.		
Chief Clerk									
David O'C. Phelan (C.)	1st May, 1871	1st Class,	"	"	1st Class, 18 August, 1870.	1st Chief Clerk.	Chief Clerk, 18 February, 1871.		
Assistant Chief Clerk									
Thomas Whitfield (C.)	18th Feb., 1871	Trans. Clerk.	"	1st Class,	"	1st Class,	Asst. Chief Clerk, 7 March, 1871.		
First Class Clerks									
1. Arthur M. Day	18th Aug., 1870.	1st Class	"	"	"	1st Class			
2. George W. Day	18th Aug., 1870.	1st Class	"	"	"	1st Class			
3. Joseph M. Day	18th Aug., 1870.	1st Class	"	"	"	1st Class			
4. William M. Day	18th Aug., 1870.	1st Class	"	"	"	1st Class			
5. Robert F. Day	18th Aug., 1870.	1st Class	"	"	"	1st Class			
6. William M. Day	18th Aug., 1870.	1st Class	"	"	"	1st Class			
7. Thomas W. Day	18th Aug., 1870.	1st Class	"	"	"	1st Class			
8. David O'Connell	18th Aug., 1870.	1st Class	"	"	"	1st Class			
9. James W. Day	18th Aug., 1870.	1st Class	"	"	"	1st Class			
10. George M. Day	18th Aug., 1870.	1st Class	"	"	"	1st Class			
Second Class Clerks									
1. John W. Day	18th Aug., 1870.	1st Class	"	"	"	1st Class			
2. James W. Day	18th Aug., 1870.	1st Class	"	"	"	1st Class			
3. Robert W. Day	18th Aug., 1870.	1st Class	"	"	"	1st Class			

Registry of Deeds Office, Dublin,
15th December, 1879.

To the Secretary of the Registry of Deeds Commission.

SIR—Having been informed by the Registrar of Deeds, that your Commissioners were prepared to receive suggestions relative to the organisation of the department from any of the officers connected with it, I avail myself of the opportunity of expressing my views on the subject with special reference to the recommendations contained in The Commissioners' First Report.

The principal of these, which affect the official procedure, is that, by which a full copy of the Deed, accompanied by an abstract of it, confined to the statutory requirements for registration, both certified to be correct by the party requiring such registration, should form the ground work for official action.

That the copy of the Deed shall be, entirely, and the abstract only, partially, compared with the original instrument left in the department for that purpose, and subsequently returned to the party who left it.

That the Ordinance Survey names be exclusively used for the purposes of registration.

The partial comparison of the Abstract with the Deed will not enable the officials to determine whether the Deed can be accepted, inasmuch as they will be obliged to refer to some statutory standard for the precise spelling of the Ordinance Survey names, which latter must be in the strictest Lexicographical order.

Let it be supposed that a name were written *Amaghgapple* instead of *Amaghgappell*, the first of these not appearing on the standard list of names, should either be searched for, and the true name discovered, or immediately the Deed rejected without any search.

Therefore, a comparison with this standard must necessarily be the first step after registration, and then a comparison of the abstract with the Deed.

The next step would be to ascertain how many of the parties had executed the Deed, and had affidavits verifying such execution,* and some special mark should then be made to denote this, in order to prepare the Indexes, unless the abstract furnished should only contain an *Grantee*, those whose executions had been proved.

After all these matters were disposed of, two essential particulars, namely, the arrangement of the parties, and the general nature of the instrument, remain without any official equipment, and, yet, the Certificate of Registration, written on the Deed, is to be conclusive evidence of everything having been correctly carried out†.

I therefore suggest that the Abstract be entirely, and not partially revised, and that the Certificate of Registration be written or impressed on a copy of the abstract attached to the Deed, otherwise it might be misleading.

I consider it a mistake to suppose that the party requiring registration is, in all cases, the only one interested in its accuracy.

For instance a settlement or other trust conveyance may relate to several properties, and be of diverse actions, a party registering such a Deed might only have regard to the interest of those for whom he might be concerned, and frame his abstract accordingly.

Under these circumstances it would be dangerous to act on the supposition that—"No one could be injured by an omission or mistake but the person who made it, for as regards other persons afterwards dealing with the same lands, by registered assurance, the prior instrument would simply be unregistered as regards the omitted grantor, or parcel of land." (See Rep., p. xxxix, par. 5.)

The comparison of the abstract with the Deed in all its particulars, would require three skilled persons to execute them properly, besides three juniors to hold the abstracts.

The preparation of the official day book and abstract book would be vastly facilitated, and would require to be compared only against the abstract, as furnished by the public, and not against the memorial as at present.

The omission of the sixth column of the abstract containing consideration, rent, term, &c., will render applications for liberty to peruse the entire deed, vastly more numerous than if retained even as optional.

The next step will be the comparison of the copy of the Deed with the original instrument, and although this presents no further difficulty than verbal comparison, yet from the amount of this latter, it will be an enormous addition to the work devolving upon the establishment.

At the present rate of registering, I think it would occupy scarcely less than sixteen persons daily, who should be located in different parts of the building, to effect isolation, in order that one set of comparers should not disturb the others, nor interfere with the remainder of the staff engaged at other work.

I think this might be very much lessened by constituting the documents registered as the primary evidence of the transaction, and accepting the abstract furnished as correctly representing it, at the peril of the parties registering.

It might be optional with the parties to furnish one or more verified counterparts or even copies, each accompanied by a copy of the abstract, on these latter the certificates of registration should be written, as before mentioned, and attached to the counterparts, or copies, when returned to the party, but having been previously impressed with an official die of a similar number and date, to identify them, the one with the other, and with the registered document. My reason for placing the Certificate of Registration on the Abstract, and not on the Deed, is, to acquaint those perusing the Deed how far it is correctly represented on the Registry. Under the present system, strictly speaking, no one can be adequately informed on the subject without having an official copy of the memorial accompanying every Deed in an Abstract of Title.

See paper furnished to your committee in November, 1878, par. 23, 24, 25 (*infra*, p. 128).

If desirable I would furnish documents as examples of the method for carrying out this proposal.

The next stage in the process of registration would be the

Index of Names.

The form of this index, as proposed in the Commissioners' report, is identical with the prospective dictionary arrangement at present in use, excepting that it embraces only five years instead of ten, as at present, and therefore will require little, if any, additional clerical labour.

The opinions expressed in the evidence as to a draft prospective index being likely to confuse unpractised persons, would have been forcibly illustrated by a name admitting of several spellings, such as *Bayley*, *Bayly*, *Bailis*, *Bayley*, *Connolly*, *Conolly*, these three names would be under seven separate headings in a Lexicographical arrangement.

I have largely referred to this part of the subject, which is of vital importance, in the paper before mentioned, par. 39 to 46 (*infra*, p. 128), and suggested an annual reconstruction of the sectional arrangement, so as to meet the difficulty as to unpractised persons, and further in par. 48-49 (*infra*, p. 129) proposed that a guide index, comprising a list of all the names appearing in a dictionary index, should be prefixed to each volume, without which, no such index is so safe.

The Land Index.

In this index your Commissioners have recommended considerable additions to the present form as prescribed by the statute, viz.—The date of registration, the date of the instrument, the names of all the grantors, and the general nature of the instrument.

MICHAEL
SHEPPARD
—
Suggessioes,
do., from Mr.
A. N. Day.

* Summary to First Report, No. 2.

† Summary to First Report, No. 26.

MISCELLANEOUS.
—

To compile this index, as mentioned in the report, and keep it in duplicate, both properly checked, would require an addition to the number of persons already engaged at that duty. I should say about four more.

I apprehend that it would be found impracticable to process without first opening headings for each of the 63,000 townlands, otherwise there would be great risk and delay in making the entries. If entered piecemeal, as proposed in the report (p. xi, par. 2), the sub-index at the commencement of each volume would, in a year or two, form a tedious search of itself, and, I fear, would ultimately result in insurmountable confusion.

I suggest that the Ordinance Survey names should be tried for the first quinquennial period on one set of the Land Index only, as it is a harmless experiment to alter an entire system at once; if, then, it be found to work well, the present names could then be entirely discarded in the next series.

I also suggest the omission of the two dates and the general nature of the instrument, as these particulars are easily found when required in the abstract book as mentioned in the report respecting the Names Index (p. xxix, par. 4), also the omission of any grantors more than the first three, stating in these latter cases only and "another" and "others," if required.

This would minimize the references to the abstract in large districts, such as Merion, Sandymount, Ballymore, which appears to be the principal object to be attained, by adding all the grantors; in fact, the reference to the abstract is so very easy as to render the necessity for enlarging the index questionable, excepting to meet these extreme cases for which the addition of the "Page of the Day Book" in the present index was intended to provide.

The Reconstruction of the Index of Names from 1800 to 1832.

This duty will more than absorb any persons that may be disengaged by the preparation of the abstracts being thrown upon the public.

PARAGRAPHS OF PAPER referred to in the above letter.

22. To meet the anticipated objection, it was proposed in the same pamphlet to discontinue the memorial, and substitute a full copy or duplicate of the original deed in book form similar to that proposed by JS & J4 Vic, c. 72, s. 46.

23. The undue acquiescence of uninterested parties with the contents of the Deed, could be prevented, by having an abstract in the form as in the schedule D before mentioned, to which could be prefixed the names and additions of the several parties as set out in the Deed—which being signed by the party requiring registration, and duly proved should operate as the "prospect" for registration. (See p. 125, supra.)

24. These prospects should be prepared by the public in duplicate on parchment of a prescribed size, having printed headings and columns, or if desirable they could be altogether printed, but many consider printing on parchment not as desirable as manuscript, otherwise the Deeds themselves could be advantageously printed, and the number of copies thus procurable ultimately result in a saving of expense to those concerned.

25. The Certificate of Registration should be indorsed on the duplicate prospect and returned to the party who registered the Deed, which would at once show how far registration were complete, or otherwise, and thus remove the objection already alluded to, as existing in the present system. This certificate should be accompanied with the impression of an official stamp, or die, not capable of being removed to other instruments, the Deed also should be similarly stamped.

It is a formidable but necessary improvement. I referred to it in the paper before mentioned (supra, p. 125, par. 51), and furnished specimens of the present, and proposed forms, so as to illustrate by contrast the utility of the latter.

To perform this duty adequately it will be necessary to process every memorial registered during the period embraced, in order to form a preliminary day book, or at least a reference sheet, in which, opposite to every number, would be every county, city, or corporate town in which any of the premises granted are situate. (Evid. No. 1636-9; 1644-51, last report.)

All these particulars are already contained in the document incorporated abstract library of this period.

It would occupy very little more time if, instead of preparing a day book or reference sheet as before mentioned as necessary for the compilation of this index, that these already prepared abstracts from 1800 to 1832 should be compared, and then effect two purposes, viz: the reconstruction of these Names Indexes, also providing a revised repository of the contents of the registry for those early periods as a reference both from the Lands and Names Indexes, instead of having at present these indexes referring to the old and imperfect transcript books, so much objected to.

I would earnestly call attention of your Commissioners to this course, as attended with true economy and tenfold utility.

If registration of deeds ceased every day at two o'clock, and all deeds registered on the same day were of equal priority, it would enable parties to close their transactions with greater facility.

The time prescribed will not admit of my alluding to many other branches of the subject.

Hoping your Commissioners will overlook any imperfections in this hastily prepared paper,

I remain, Sir,

Your obedient servant,

ARTHUR M. DAY.

36. The method adopted for the compilation of this Document "prospective" Index is the most effectual that could be devised.

40. Previous to the commencement of the period intended to be embraced there is provided a blank skeleton Index, in which the surnames and titles which have appeared on the preceding register are all set out under separate divisions, leaving spaces for each, "estimated" by the number of entries usually appearing under that head for ten years, the Deeds are then entered in this Index immediately after registration.

41. But notwithstanding all this care and provision, experience shows that it is "impossible" to arrange names in dictionary order, for so long a period as ten years "prospectively," inasmuch as the spaces left for the names are often insufficient and become blocked, thus rendering it necessary to transfer "separate names" from one part of the book to another, or perhaps even to supplemental books, and also as "new names" and "titles," and especially "new companies," will occur which have "not" been provided for, and so defy all efforts to preserve an unbroken Index, thus rendering this "Draft Index" an unsuitable exponent of so important a record as the dealings in landed property in Ireland, and dangerous as a medium of search even in experienced hands.

42. This Draft Index, although used in official searching, is not allowed into the hands of the public, who are consequently obliged to labor through the sectional arrangement, as "monstrously cumbersome," as before described.

43. This latter disadvantage is the more apparent when it is considered that there are usually more persons of the public making their own searches than there are officials so employed.

44. Under these circumstances the annual reconstruction of the Names Index, as proposed in the 1858 Pamphlet, page 7, and shortly described in a previous paragraph, is a "positive necessity," and as the entries under each surname would appear without other blanks or transfers, as in the Prospective Decennial Index, it would combine the advantages of being more suitable for official searching, and also affording to the public who make their own searches a "dictionary" arrangement instead of a "sectional" one, during the current decennial period, so as often, in this latter case, to reduce the time occupied from an hour to five minutes.

45. These annual reconstructions could "now" be prepared with the greatest facility from the "Draft Prospective Decennial Index" already described, as the entries under every surname are annually divided by their having the "year of Registry" opposite to each in consecutive order, therefore involving more transcription and comparison from these books. This could be illustrated by having a section of one of the letters of the alphabet prepared for a year on a few sheets of paper, which would occupy only a few days in preparation, and thus afford more opportunity of judging its utility if carried into effect.

46. With these "simple alterations" in the present

system, the "Names Index Department" would become perfectly effectual, in the "current Decennial period" in which "only" any important defect exists.

48. Before closing this part of the subject, it may be well to allude to another suggestion. That to every Index of parties' names which is arranged into "dictionary order" it would be well to prefix a list of all the surnames appearing on the volume, and the page or pages where the entries under each name are to be found.

49. The object of these additions was to warn persons searching of the various spellings of the same name, many of which are often widely separated in the Index from each other, such as the following:—

Blaney or Blayney—Blain or Blinn.

Bagenal or Bagnall or Bagnell—Bainson or

Bainson.

Berringham or Birmingham. (See Evid., supra, No. 585-f.)

51. It was also suggested that the improvements already carried out in the modern Indexes, by adding to each entry the County, City, or Town in which any premises granted were situated, should also be gradually applied to the old Indexes, in any consolidation thereof, pursuant to the 33rd section of the Act, thereby enabling a person to reject all references "not relating" to the County or City after which he was searching. The following example will illustrate the nature of this proposal:—

Example of Old Form of Names Index.

Grantee.			Grantee.			Reference to Transcript Book.		
						Book.	Page.	Number.
Harrison, John,			Pewee,			522	254	505,845
" James,			Smith,			539	29	501,245
" Mary,			Ballant,			535	155	503,429

The same Entries as they would appear in Suggested Form.

Grantee.		Grantee.	County, City, or Corporate Town in which any Premises granted are situate.	General Charge.	Reference to Transcript Book and number of Abstract.		
					Book.	Page.	Number.
Harrison, John,		Pewee,	Cork Co.,	"	522	254	511,345
" James,		Smith,	Wicklow, Dublin Co.,	"	229	29	501,245
" Mary,		Ballant,	Cork Co., Troughal,	C	535	155	503,429

Form of Precept and Abstract proposed by Mr. A. M. Day. (See Evid., Nos. 517 and 629.)

Precept by which I require the
Deed herewith lodged to be
placed on the Registry.

And which Deed is made between A. B. of 1st part; C. D. of 2nd part; E. F. of 3rd part.

As witness my hand this

day of

1862.

Witness present,

A. B., C. D., or E. F. (or such person as would now be entitled to sign and seal a Memorial).

G. H., W. A.

Year and Day of Registering Volume of the Year and Number of the Deed.	Date of Instrument.	Names of all the Grantees with every alias upon which an entry should be made.	Names of all the On-sives with every alias.	Consideration.	Names by which Lands granted or affected by Deed are known, and by which they are required to be entered on Registry.	County, City, or Parish if in a City or Corporate Town, in which each Decennial return is situate.	County, City, or Corporate Town in which each Decennial return is situate.	Number of On-sives (less where Lands and Premises are shared).	Name of Township, if in a County, or Name or other description if in a City or Corporate Town, by which such Decennial return is known on the On-sives Survey.	General Nature of the Instrument.

22nd November, 1879.

SIR,—In the course of the inquiries now in progress under this Commission, the application of photography or photomicrography, to the purposes of the office of Registry of Deeds, for indexing, copying, and putting in books, has been brought prominently under the notice of the Commissioners.

They understand that both by yourself personally, and by the department over which you preside, it has been extensively used and carefully tested; and, therefore, before coming to any conclusion respecting it, they have desired me to ask you to have the goodness to let me know, for their information, your opinion respecting it, as regards its suitability for the purposes above mentioned, and particularly the permanency of the writing made by means of it, either alone or in unison with any other process. In fact for any observations or suggestions which your experience suggests, they will feel much obliged.

I am, sir, your obedient servant,

R. J. LARK, Secretary.

Colonel A. C. Cooke,
C.R., R.E., Director-General, Ordnance
Survey, Southampton.

Ordnance Survey Office,
Southampton, 24th November, 1879.

SIR,—With reference to your letter of the 22nd inst., asking my opinion as to the applicability of photography or photomicrography, to the purpose of registering deeds, I beg to say that the applicability of these processes depends, in a great measure, upon the nature of the documents to be copied, and of the result desired.

I should be in a better position to give you a decisive opinion on the subject if you could let me have a specimen of one of the deeds, or of a similar document, and inform me whether an exact or a reduced copy is required.

The special points that it is desirable to know are, whether the documents to be reproduced have any coloring on them, whether they will be tolerably clean, the largest size anyone is likely to be, and the extent of the reduction in size of the copy, if any. Also, it is desirable to know approximately what number of copies are likely to be required.

I am, sir, your obedient servant,

A. C. COOKE,

Colonel R. E., Director-General,
Ordnance Survey.

The Secretary, Registry of Deeds
Commission, Dublin.

2nd December, 1879.

SIR,—Having laid your letter of the 24th ult. before the Commissioners, I am directed by them to say in reply, that as a rule one copy only would be required in the first instance, for the purpose of being preserved as a permanent record in the office; but as parties frequently require single copies, and often after the lapse of many years, the Commissioners propose to provide for the supply of such copies, either by printing in the first instance, say six copies to be kept in store, or by, from time to time, photographing the deed as copies may be required, whichever might be considered the more convenient course, and they would be glad to have the advantage of your opinion as to which is preferable.

Printed image digitised by the University of Southampton Library Digitisation Unit

I enclose, according to your request, copies of three of such deeds as would be required to be copied, prepared in a different way and size; and of these the Commissioners think, that copies of half size would, if perfectly legible, be the most convenient.

The documents to be copied would in general be tolerably clean, and there would not be any coloring in them. The largest size of documents would be about 24 by 30, but the ordinary size would be about 18 by 12. The average number of deeds to be copied each day would be about sixty.

I am, sir, your obedient servant,

R. J. LARK, Secretary.

Colonel A. C. Cooke, R.E.,
Director-General, Ordnance Survey,
Southampton.

Ordnance Survey Office,
Southampton, 22nd December, 1879.

SIR,—With reference to your letter, forwarding three specimens of deeds, I have had photomicrographs made of one of them to a scale of one-half, as suggested in your letter, and also to a scale of two-thirds, as the writing on the former scale, although quite legible with a magnifying glass, is rather small for reading with the naked eye.

The only portion of the deed which has not been reproduced satisfactorily is the first signature, and the reason of this is that the writing of the original is in blue ink, a colour not favourable to photography.

I forward a statement of the cost of both sizes, by which you will see that the cost of six copies on the large size is 5s. 2d. per page; that of one copy, 5s. 5d.

I believe the photomicrographic process is the best adapted to the purpose. The copies produced by it are permanent, and will never fade. They are fac-similes, and there is, therefore, no possibility of any error creeping in.

If one copy only were required, this could be made at a rather cheaper rate by supplying a silver print taken by photography, the cost of which would be 5s. 6d., as against 5s. 5d. for the photomicrograph; but if the number required amounted to four the cost would be greater than for the photomicrographs, being 6s. 6d., as against 5s.

In all other respects photomicrographs are superior to photographs, as the former are permanent, whilst the latter are liable to fade after a longer or shorter period, depending upon the care that has been taken in their production.

The cost of producing six copies is not much more than that of producing one. It seems, therefore, preferable to print six copies off at once, rather than to print one, and possibly have to reproduce the whole at a later date.

If the glass plates were preserved, copies could be supplied from them without further reference to the original, in which case the cost of the plate, 3s. 2d. for the large size, would have to be added to the total cost.

If the large deed were reduced to two-thirds the cost per page would probably be about four times that of a page of the one photomicrographed. The indentations on the back of the deed would be equal to about two pages.

The small deed would probably be reduced to 14 x 11 inches, and the cost per page would then be as given in the estimate—in column B.

I return the three deeds with the two photomicrographs that I have had made.

I am, sir, your obedient servant,

A. C. COOKE, Colonel R.E.,
Director-General.

The Secretary, the Registry of Deeds
Commission, Dublin.

Ordnance Survey Office,

Southampton, 18th December, 1879.

ESTIMATED COST OF PHOTOZINOGRAPHING DEEDS,
per page.

Description of the Work.	Size of Negative					
	16 x 12 inches (A.)			14 x 11 inches (B.)		
	£	s	d.	£	s	d.
Taking the Negative and making the Carbon Transfer, including material, . . .	0	3	0	0	3	0
Transferring to Zinc and printing one copy, . . .	0	3	3	0	2	3
	0	5	0	0	5	3
Cost of each additional copy, . . .	0	0	1	0	0	1
Cost of six copies of one page, . . .	0	6	2	0	5	8
Total cost of one copy of the Deed, . . .	1	14	0	1	11	4
Total cost of six copies of the Deed, . . .	1	17	0	1	14	0
Value of Glass Plates, . . .	0	3	3	0	2	7

Ordnance Survey Office,

Southampton, 5th February, 1880.

SIR,—In compliance with the request of the Registry of Deeds Commissioners communicated in your letter of the 17th ultimo, I enclose an estimate of the staff that would be required to photograph and print by photozinography a daily average of sixty deeds of three pages each, showing also the probable cost of the necessary materials.

I enclose also an estimate of the plant that would be required to do the specified amount of work.

COPYING DEEDS BY PHOTOZINOGRAPHY.—ESTIMATE OF THE NUMBER OF MEN AND COST OF CHEMICALS required to reproduce by photozinography sixty deeds, of three pages each=180 pages. (Glass 16" by 12".)

Photography.

	Per page	
	per	
	dozen.	
1 Labourer to clean glasses, and assist in arranging pages on board . . .	4	0
1 Assistant to coat and examine the plates . . .	7	6
1 Do. to arrange the pages on board and expose the plates . . .	7	6
1 Photographer to develop the plates and superintend . . .	10	0
1 Labourer to intensify and varnish the plates . . .	4	0
5 viz. : 1 photographer, 2 assistants, 2 labourers . . .	33	0

This party will, it is estimated, produce an average of thirty negatives daily.

Total required to produce 180 negatives daily (i.e. to copy sixty deeds of three pages each), 6 photographers, 12 assistants, 13 labourers . . .

Making Chromo-Carbon Transfers.

1 Labourer to prepare paper for transfers . . .	1	0
1 Do. assisting . . .	1	0
12 Assistants to print, ink, and wash off fifteen transfers daily . . .	0	4½
1 Labourer to assist in printing, &c. . .	1	0
2 Total . . .	12	4½

To produce 180 transfers daily (i.e. copies of sixty deeds of three pages each), 15 assistants, 9 labourers . . .

Transferring to zinc, proving, and printing.

1 Printer will transfer and prove sixteen transfers (on four plates) . . .	7	0
1 Labourer assisting . . .	4	0
1 Assistant will cut and touch up thirty-six transfers daily . . .	6	0
1 Grainer will grain 5 plates daily . . .	4	0

SIR,—I beg to acknowledge the receipt of your letter of the 22nd ult., accompanied by the deeds sent you, and two photozinographic copies of one of them.

Having laid your letter, the copies prepared by you, and your estimate of the cost of producing them, before the Commissioners, I am directed to convey to you their best thanks for the valuable information you have afforded them.

I am now desired by the Commissioners to request you to have the goodness to inform them what staff would be required to photograph and print by photozinography a daily average of sixty deeds of three pages each, of the same size as the larger copy printed by you; and also what may be estimated as the cost of materials on the assumption that the glass plates could be used again from time to time, and the zinc plates not preserved.

I am, sir, your obedient servant,

R. J. LANE, Secretary.

Lieutenant-Colonel Cooke, R.E., Southampton.

The cost, as now given, is rather less than that furnished in my letter of the 22nd of December. The reason of this is the large number of photozinographs for which the present estimate is made, allows of subdivision of labour and consequent economy.

I am, Sir, your obedient servant,

(Signed) A. C. COOKE, Colonel R.E.,
Director-General.

The Secretary,
Registry of Deeds Commission, Dublin

Total number required to produce 180 pages daily (i.e. sixty deeds of three pages each),	
12 printers—5 assistants	
12 labourers—3 labourers grinding	£10 4 0
1 Superintendent—Photography	10 0
1 Do. —Printing	10 0
5	20 0
Estimated cost of materials for producing 180 negatives and transfers at 1s. 8d. each	£15 0 0
Transferring and printing one copy of each page—180 pages	1 10 0
	£16 10 0

Additional estimated cost of producing five additional copies

Labour { 3 zinc printers } . . .	£1 14 6
3 labourers	
Materials for producing 900 copies (for five copies of 180 pages) . . .	0 17 6
Total, £19 3 0	

The total estimated cost of men and chemicals is about £45 per diem, or 16s. per deed of three pages. If five additional copies are required, the total estimated cost is £48 per diem, or 16s. per deed of six copies.

S.B.—Accommodation for photographers, printers, &c., and storage is not included in the above estimate. It is probable that special buildings would have to be erected for photography; and these should be designed so that the camera and deeds could be readily transferred to the open air in dull weather, or so that the deed should be easily exposed to the full daylight. This is desirable, because in such weather it is impossible to photograph in the open air, when in consequence of the weakness of the light under glass no results can be there obtained. Freshly accommodated

MISCELLANEOUS.

purpose of effecting registrations of judgments obtained before the 15th July, 1856, and of the other issues of writs set out in the first General Order of 11th January, 1857, pursuant to the directions of that Order.

FOURTH.—THE INDEX OF THE REGISTER OF JUDGMENTS AND INCUMBRANCES affecting real estates.—This book consists of two parts. At the beginning of each year the Index is compiled in dictionary order from the commencement of the Register to the time of compilation. This forms Part I. The current portion of the Register during the year is indexed in Part II., which is kept in alphabetical, but not in dictionary, order.

FIFTH.—THE SEARCHING CLERKS' BOOK.—(A pattern page is transmitted marked No. 5.) In this book the searching clerk enters each day requisitions for official searches left in the office, under the name of the person against whom the search is required.

SIXTH.—THE INDEX TO SATISFACTIONS.—(A pattern page is transmitted marked No. 6.) In this book entries are made of memorandums lodged under the provisions of 11 and 12 Vic., c. 129, s. 10, for the purpose of procuring entries of memorandums of satisfaction to be made on the entries of judgments in the registers. The requisitions used in the office are:—

1st. Requisitions for official searches for Judgments, Revivals, Decees, Rules, and Orders obtained or made before the 15th July, 1856, *Lis pendens*, Recognizances, Crown Bonds, &c., registered against any person.

2nd. Requisitions for official searches for all Judgments, Decees, Rules, and Orders, and for *Lis pendens*, Recognizances, &c. These Requisitions are used under the provisions of 34 and 35 Vic., c. 72, s. 5, and the forms of them are set out in Schedule B to that Act.

3rd. Requisitions for duplicates of searches under the provisions of 34 and 35 Vic., c. 72, s. 5. The form of Requisition is set out in Schedule B.

4th. Requisitions for licence to search in the books in the Office, under the provisions of the 7 and 8 Vic., c. 90, s. 11. A form of this Requisition is transmitted marked No. .

QUESTION 3.—The nature and details of the several kinds of searches and certificates, and the system pursued in checking searches.

ANSWER.—There is only one kind of official search. It is made under the provisions of 34 and 35 Vic., c. 72, s. 4. One of the searching clerks makes the search. He enters on the requisition a short note of every act or entry appearing in the books against the name set out in the requisition. The second searching clerk then makes the same search, and checks the entries made by his fellow. The form of certificate of the result is set out in Schedule B to 34 and 35 Vic., c. 72.

QUESTION 4.—Is there any error in the entries in the Books of the Office?

ANSWER.—There is no error. The practice of the Office is to enter in the Registers the particulars contained in the memorandums immediately on their being left.

QUESTION 5.—Have the public the power of making searches in the Books, or any of them?

ANSWER.—The public have the power of making searches in all the books under the provisions of the 7 and 8 Vic., c. 90, s. 11, before referred to.

QUESTION 6.—The annual number during the last fifteen years of—

- (1.) Judgments registered.
- (2.) Judgments re-registered.
- (3.) Decees, rules, orders, and *Lis pendens*.
- (4.) Recognizances, Crown Bonds, and Judgments at the suit of the Crown.
- (5.) Statutes, inquisitions, and acceptances of office respectively registered.

For answer see Appendix to former Report, p. 147.

QUESTION 7.—The present staff of officers and clerks, and their duties respectively, and whether or not it is sufficient for the work, and if not, to what extent and in what respect it is insufficient.

ANSWER.—One Registrar, one chief clerk, one second clerk, two junior clerks, two searching clerks, one writing clerk. The duties of the Registrar are, to superintend the office, to sign certificates of the registration of judgments, &c., under the provisions of 13 and 14 Vic., c. 74, s. 10, to sign certificates of the results of official searches, to sign certificates of duplicate searches, and to sign memorandums of satisfactions made on entries of judgments under the provisions of 11 and 12 Vic., c. 129, s. 10, before referred to. The duties of the chief clerk are to receive memorandums left for the purpose of effecting registrations, to see that they are regular and correct in form and properly stamped, and to enter them in the Day Book, and during the temporary absence of the Registrar to affix his name under the provisions of 34 and 35 Vic., c. 72, s. 23, to all memorandums, entries, and certificates. The duties of the second clerk are to enter memorandums of satisfaction on entries of judgments, and to assist the public by providing them with the books which they may require to search and to see that no injury is done to the books. The duties of the first junior clerk are to assist the second clerk, and to compare with the second junior clerk the entries made daily in the Registers. The duties of the second junior clerk are to enter in the Registers the particulars contained in memorandums left to effect registration. The duties of the searching clerks are to make searches in compliance with requisitions lodged in the forms before mentioned. The duties of the writing clerk are to write out on proper forms the results of the searches made by the searching clerks, and to assist the second junior clerk in making entries in the Registers. The staff is sufficient for the work.

QUESTION 8.—The number of searches in progress in the office for which requisitions were sent in before the 1st of May instant, and the dates of lodging the requisitions respectively; when was each begun, and when is it likely to terminate.

ANSWER.—None. Since 11th May, 1874, all requisitions for searches must at the time of lodgment in the Office be closed, that is to say, the dates of the period during which the search is to be made must be set out. The practice before May, 1874, is stated in pages 16, 17 of my Report on Lord O'Hagan's Act, and in pages 10, 11 of my observations on the General Orders of 11th May, 1874. Since then searches are made by the clerks on the day following that of the lodgment of the respective requisitions, so as to insure all registrations up to the date of the requisition being entered in the Registers. A search only occupies a few minutes, accordingly all searches made in pursuance of requisitions lodged from the 11th May, 1874, to the 1st of May last, have been long since completed. The enclosed requisitions of which I made mention in my report, and observations, remain here still in numbers, in the same condition they were then, viz.: the searches have been made on them up to the respective dates of their lodgment.

MISCELLANEOUS. QUESTION 9.—The salary paid to each officer and clerk and the annual amount for the last five years of the incidental expenses of the office, and the salaries of the clerks.

Answers—

	£	s.	d.
The Registrar's salary is	1,011	11	7
The Chief Clerk's, £350 rising to £450, now	450	0	0
The Second Clerk's, £200 rising to £300, now	315	9	10
First Junior Clerk's, £100 rising to £200, now	200	0	0
Second " " " "	200	0	0
First Searching Clerk's, " " " "	308	0	0
Second " " " "	308	0	0
Writing Clerks 10s. per week, rising to £3 2s. per week, And pro rata payment for writing.	26	0	0
The Incidental Expenses of the Office for the year ended 31st March, 1874, were	1	6	0
" " " " 1875, "	1	10	5
" " " " 1876, "	0	4	9
" " " " 1877, "	0	5	9
" " " " 1878, "	0	6	1
The Salaries of the Clerks for the year ended 31st March, 1874, were	2,085	0	0
" " " " 1875, "	2,077	1	9
" " " " 1876, "	2,038	17	11
" " " " 1877, "	1,863	15	4
" " " " 1878, "	1,524	8	0

MARK PENNIE.

June 14, 1878.

No. 1—MEMORANDUM FOR THE REGISTRY OF A JUDGMENT.

TO THE REGISTRAR OF JUDGMENTS. (Under 7 & 8 Vic., c. 99.)

Sir,—The following Memorandum or Minute contains the particulars of a Judgment in the High Court of Justice in Ireland, Division, which I require to be Registered pursuant to the Statute.

Name of Solicitor,
with the name of the
party for whom he is
employed.

Solicitor for

No.

Street.

Name of the Defendant or Person whose Estate is intended to be affected thereby	Usual or last known place of Abode of each Person.	Title, Trade, or Profession of each Person.

High Court of Justice in Ireland,

Division.

Date of Judgment,

Amount of Debt or Damages,

Amount of Costs,

Name of the Plaintiff.	Usual or last known Place of Abode of each Person.	Title, Trade, or Profession of each Person.

I certify that the Judgment described in the above Memorandum or Minute has been entered in Her Majesty's High Court of Justice in Ireland, Division, and is now in existence.

Dated this day of 187

To the Registrar of Judgments.

No. Received this day of 187

No. 2.—THE DAY BOOK OF MEMORANDUMS LODGED FOR REGISTRATION

THE DAY OF

188

No.	Defendant's Name.	Nature of the Memorandum or Motion.	Judgments		Revivals of Judgments		In good order.	Re-registration.	Cross Index.	Satisfactions.	Cancellation.	Visas.	Devol. Rules, and Orders.	Re-registered.	Certification.
			Obtained since 10th July, 1888.	Obtained before 10th July, 1888.	Obtained since 10th July, 1888.	Obtained before 10th July, 1888.									
			Registered.	Registered.	Registered.	Registered.		Registered.	Registered.	Registered.	Registered.				

No. 3.—THE REGISTER OF JUDGMENTS OBTAINED, AND OF REVIVALS, DECREES, RULES, AND ORDERS AFTER 15th JULY, 1888.

Nature of Instrument.	DEBTOR.		Court.	Date of Judgment, &c.	Amount of Debt or Damages, &c.	Amount of Costs.	Names of Plaintiff, their legal or last known place of abode, and title, trade, or profession.	Date when Memorandum lodged.	Date of former Memorandum.	No. of Memorandum.
	Surname.	Christian Name, their usual or last place of abode, and title, trade or profession.								
					£ s. d.	£ s. d.				

No. 4.—REGISTER OF JUDGMENTS AND INCUMBRANCES AFFECTING REAL ESTATE.

Nature of Instrument Registered or Re-registered.	Place of Abode of Person whose Estate is intended to be affected by the Registry.	Description, Title, Trade, or Profession.	Court.	Title of Case, Bill or Motion, Bill or Information.	Date of Judgment, Revival or other Instrument Registered, as of the Filing of Bill, Petition, or Information.	If a Revival, Date of original Judgment.	Amount of Debt, Damages, and Costs, and Money ordered or ordered to be paid, or Liability.	Conditions.	Name of Plaintiff, Place of Abode, Description, Title, Trade, or Profession.	Before whom acknowledged.	Name of Solicitor, and as whom retained.	Date of former Registry.	Date of Registry.	No. of Memorandum.

No. 5.—THE SEARCHING CLERK'S BOOK.

The

day of

187

No. of Registration.	Party against whom Search made.	Name of Party requiring Search.	Receipt of Party to whom Certificate is given.

No. 6.—THE INDEX OF SATISFACTION.

Date of Registry.	Defendant's Name.	Plaintiff's Name.	Court.	Date of Judgment, &c.	Amount.	No.

MINISTERS
SECRET.

LETTER FROM REGISTRAR OF JUDGMENTS.

Registry of Judgments,
Four Courts, Dublin,
3rd November, 1879.

SIR,—Her Majesty's Commissioners appointed to inquire into the Law relating to the Registrations of Deeds and Assurances in Ireland, have not hitherto in the commencement of their first Report, that the scope of their inquiry included the condition and official organisation of this office, amongst others, and whether they or some of them might not be consolidated.

The Commissioners have apparently not considered it necessary for the purposes of that inquiry to consider any of the officers of this department; they may, therefore, deem it an important intrusion for me to address to them any communication on the subject. However, prompted probably some will think, by "nature's eldest law," I shall run the risk, and request that you will have the goodness to submit to them the following observations, to which I respectfully solicit their attention.

Those observations will be confined to the portions of the Report which affect this office:—

The Commissioners recommend (page xlix., No. 28):—"That the present Registry of Judgments Office shall be abolished, and instead of it a Consolidated Index of all Judgments shall be prepared, and kept in one of the offices of the High Court of Justice appointed for the purpose, in which the Judgments shall be indexed in the names of the persons against whom the Judgments were obtained. That such entry shall be equivalent in case of bankruptcy to the present registration in the office of the Registrar of Judgments, and that the existing books of the Registry of Judgments should be preserved in the office in which the Consolidated Index is kept."

I presume that this recommendation, although the construction is ambiguous, only refers to Judgments which shall be obtained from the date at which the recommendation shall be carried out.

The recommendation is vague as to the new book which is to be kept.

If the only information it will afford will be the names of persons against whom Judgments shall have been obtained, I do not think it will be very useful; if it is to be kept in a form which will be of use to the public, I think it will be very much a continuation of our present books; so that the recommendation amounts to one that the Registers of Judgments which shall henceforth be obtained shall be kept in one of the offices of the High Court of Justice.

Now, this office is at present an office of the High Court of Justice, and I fail to see what will be gained by removing our books to any other, and I humbly conceive that there is as great a probability of their being continued to be kept correctly by the trained and efficient staff of this office as there is of their being so kept by that of any other. I can understand a recommendation that henceforth all Registrations of Judgments should cease, and that parties desirous of obtaining information about them should be driven to inspect the records of the various divisions of the High Court, but it is desirable that the judgments of the different divisions should be indexed or registered (whichever it is pleased to call it), in any central office, what will be gained by doing away with the name of our office? I say with the name, for if the work is to be continued to be done, an official staff to do it must be continued also. It appears to me that it would more facilitate those members of the public community who may have occasion to learn what judgments have been obtained against others of it, to go look for that information in the Registry of Judgments, an old and well-known* office, than in some hole or corner of some other department which has no special connexion with such instruments.

* A story is told in the Library that I, on one occasion, opened my door to answer the knock of a shipyard sweep who had come to the "Judgment Office," in quest of a Judgment against one Tim Burke who owed him £s. 6d.—M.P.

It is intended to supersede the present system of registration, under which solicitors lodge in the office memorandums, as directed by the Statute 7 & 8 Vic., c. 20, &c., containing the information of the names of the parties, the amounts of the judgments, &c., &c. and, if so, how is that information to be supplied from the various divisions of the High Court to that office in which the Consolidated Index is to be kept? At present the expense of effecting the registration is included in the sum allowed for costs, and is borne by the person against whom the registration is made, and the stamp duty on the memorandum goes to the public revenue. Is this to be changed? and is the expense of indexing every judgment to fall upon the public?

The Registry of Judgments, Ireland, in, I believe, amongst the very few, if not the only office connected with Courts of Justice in the United Kingdom which has been self-supporting. The revenue gained by stamp duties for this office for the five years ending 30th September last amounted to £15,391 *ss.* 14, and this does not quite represent the receipts from the office, for it should be entitled to credit for the Law Fund duty paid on the certificates which are appended to the memorandums lodged on it, which in the course of the same five years exceeded £1,200. The expenditure of the office for salaries, &c., during the five years amounted to £14,641 *lvs.* 2d.

No doubt when the registration of incumbrances on land, and consequently also official searches, shall be transferred from this office, as recommended by the Commissioners, the amount gained for the public revenue by the department will be most materially affected, but in that event, the responsibility attached to the first place of the department, will be also proportionally lessened, and it will not be more necessary that it should be held by a separate officer here than it is in Westminster, where one of the Masters of the Common Pleas Division is the Registrar of Judgments; and the saving which will be effected by doing away with the salaries of the Registrar and the searching clerks (who, of course, will not be required), will compensate, or will nearly do so, the loss of stamp duty earned by the department; so that it will still continue to be self-supporting.

The Report, page xixviii., says that the new Index would supply the place of the Indexes now kept in the Common Law divisions in the names of the Plaintiffs. I do not exactly see how it could, except in affording occupation to the clerks who now compile them. I believe that these Indexes are of exceedingly little use. If this be so, why not abolish them, and the expense of their preparation? but why should this be a reason for changing the habitation of our books?

I submit that not only should this office be retained, but that it would be the proper office in which to register all Bills of Sale. Those who seek for information as to judgments whereby personal credit is affected, are the same to whom information about Bills of Sale is of importance, and therefore, it appears to me, that it would be plainly an advantage to have the two departments consolidated, in the same way that it is an advantage that persons dealing with real estate should be able to find all the information they require as to transactions with, or incumbrances upon them, in one department.

Until July, 1856, all judgments were of the same importance to searchers, whether looking for acts affecting personal credit, or real estate: but from that date this ceased to be the case. Still for many years after the passing of 13 & 14 Vic., c. 29, the two classes had to search through the same books; but since the

beginning of the year 1873 there have been two quite distinct sets of books kept in this office.

One set contains entries of Judgments obtained before 15th July, 1850, Recognizances, Crown Bonds, and Lis Pendens; all being now affecting real estates, but not of importance to an inquirer after the personal credit of one with whom he contemplates having dealings.

The other set of books contains registrations of Judgments which generally have been marked up the same day that they are registered, and this is the set in which each searcher at the assizes of "The Black List" are interested.

The former set of books are so kept and indexed that a search for incumbrances on lands in our department is a very short and simple process. These are the books the preparation of which one of the contributors of evidence before the Commission imparts to a suicidal sentence.* In the event of the transfer of part of our business to the Registry of Deeds, I submit that the books last referred to should be also transferred to the same place. They contain all the incumbrances upon real estates in this office which now affect pur-

chasers or mortgagees, and it is in them only that almost every official search made in the department is made. The requisitions for each searcher are almost invariably limited to the last five years, within which period such incumbrances must have been registered to effect a purchase or mortgage, and the series goes back for nearly eight years. I submit, therefore, to the consideration of the Commissioners the expediency of altering their recommendation that these books should be preserved in any office of the High Court of Justice.

And in conclusion I also respectfully submit to their consideration the expediency of altering their recommendation that the present Registry of Judgments Office should be abolished.

I remain, Sir, your faithful servant,

MARK PERREN.

Richard James Lane, Esq., Q.C.,

Secretary,

Registration of Deeds and Assurances
in Ireland Commission.

* Appendix to Commissioners' 1st Report, p. 75.

SCHEDULE of FEES to be received in the RECORD of TITLE OFFICE, all of which are to be collected by Stamps.

N.B.—No fee is payable in respect of the recording of a Conveyance or Declaration immediately after the execution thereof.

No. 3.

PART I.

Transfer and Transmission of Estates.

	£	s.	d.
Where the value does not exceed £500.	0	5	0
Above £500, and not exceeding £1,000.	0	10	0
For every additional £500, or part thereof.	0	5	0

Charges and transfer of Charges.

	£	s.	d.
Where the amount or value does not exceed £1,000.	0	5	0
For every additional £500, or part thereof.	0	5	0

Recording of Titles under the Statute.

If the application be made before the end of the year 1867, or be made after that period, but within a year from the execution of the Deed or Declaration—Where the value does not exceed £1,000.

	0	5	0
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For every additional £500, or part thereof.

	0	5	0
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N.B.—If more than a year has elapsed since the execution of the Deed or Declaration, or if the Owner does not apply before the end of the year 1867, the same fees will be payable as are payable in case of a Declaration of Title. [The present rate of duty is 10s. for every £100 of value.]

PART II.

For filing every Affidavit.	0	1	0
For every Notice signed by the officer.	0	1	0
For every application to inspect or to obtain a copy of or extract from the Record.	0	2	6
For every Caveat, under section 45, of the Record of Title Act.	1	0	0
For every Land Certificate.	0	10	0
For every Certificate of Charge.	0	0	0
For every "special" Land Certificate, under section 50.	0	10	0

For certifying and signing any Certificate or Instrument of Title, under section 5 or 10.

	0	5	0
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For the like Certificate on a Certificate of Charge.

	0	5	0
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For every other Certificate, signed by the Officer at the request of any person, and not before provided for.

	0	5	0
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For every Deed or other Instrument not in statutory form, of which an original or a Copy is retained under section 29.

	0	5	0
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On opening a new folio, or chapter, or division of the Record in respect of a Lease, or of an Interest or Charge under a Settlement, or where an Estate is divided.

	0	10	0
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On every application to a Judge to separately record an Interest under Settlement, pursuant to section 28.

	0	10	0
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For entering any Judgment, Recognizance, &c. on the Record, under section 42, or re-entering the same under section 43.

	0	5	0
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For recording any Deed or Fact, not above provided for, or for making any other note or entry on the Record material to the Title.

	0	5	0
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[If any Document or Fact be required to be entered under several folios, several fees will be payable.]

For cancelling any folio, note, or entry (except a caveat), on the application of any person.

	0	5	0
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For removing an Estate from the Record (section 50).

	1	0	0
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For every Certificate authorizing the issue of Debentures (under Land Debentures Act) on a Recorded Estate.

	0	5	0
--	---	---	---

For the issue of any Debenture, whether an original, a new, or a duplicate Debenture.

	0	5	0
--	---	---	---

For each Transfer of a Debenture upon the Record.

	0	5	0
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Approved of by the Commissioners of H. M. Treasury,

20th January, 1866.

Portion of Replies of the Recording Officer of the Record of Title Office (See also Appendix to 1st Report, p. 145).

THE BOOKS KEPT IN THIS OFFICE ARE—

Book 1.—Numerical list of Recorded Owners.

In this book are entered the No. of the Folio, the name of the Recorded Owner, a memorandum of the filing of the Memorial of the fact of recording, thus—

Folio	A. B.
Memorial filed	day of 1878.
	R. T.

Book 2.—Alphabetical index of Recorded Owners in the following form—

1 Folio.	2 Estate.	3 Recorded Owner.
600	The Lands of Blackacre, Barony of County of Fec.	A. B.

Book 3.—Address Book.

The Recorded Owner being under section 19 entitled to notice of all dealings with the Recorded estate, this book is kept as a register of the Recorded Owners' addresses, or those of their Solicitors; it is in the following form—

Folio of Record.	Name and nature of Interest.	Motive of Service.
Name and Address of Solicitor, if any.		Entered.

Book 4.—Numerical Record of Affidavits filed in the following form—

No.	Folio of Record referred to.	Name of Dependent.	Date of Filing.
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Book 5.—List of cases under 51st section, thus—

No.	Applicant.	Solicitor.	Folio.	Remarks.
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Book 6.—Instrument Book.

Containing originals, counterparts, or copies of all deeds and documents noted on the Record as affecting the different estates. These instruments are bound periodically.

Book 7.—Ordinary Receipt book for documents handed to the Solicitors.

Book 8.—For noting Judges' rulings and directions on the several applications filed in reference to the Recorded estates.

Book 9.—Containing orders of the Judge and the several folios of the Recorded estates.

There are at present 13 bound volumes, each containing 50 folios.

The only requisition read in the office is "for leave to inspect or obtain a copy of the Record."

The Record is under the management of the Recording Examiner, section 62 of the Act, and his duties in relation thereto are detailed in the general rules under the Record of Title Act (Ireland), 1868, numbered 3, 4, 6, 8, 10, 12, 14, 17, 23, 26, and 28, and under the Land Deference (Ireland) Act, 1865, numbered 2, 3, 4, 5, 11, 18.

His duties, stated generally, are to conduct all business relating to the entry and transfer of estates on the Record, and to see that all applications for the transfer or other dealings with recorded estates are warranted by the evidence produced in support of them, and if sufficiently warranted, to see that the proper entries are made on the Record, to give legal effect to each transfer or other dealing, and, when made, to authenticate them by his signature.

The duties of the Assistant are to keep and enter up the several books and indices already referred to, to lodge with the Registrar of Deeds the memorial of all estates placed on or removed from the Record; to file all the documents received and to be kept, if recorded, in the office; to see that the proper office fees are paid on all transactions connected with the Recorded estate, to keep a list of such fees; to examine the several deeds and documents brought into the office to be recorded, and prepare the draft of the official notes (being a short statement of the effect of such documents); to transcribe such notes on the Record and other necessary documents, and generally to attend the public on the business of the office, and do the routine work.

The salaries for the last five years, ending 31st December, 1877, were as follows:—

	Year ending 31st December.				
	1872.	1873.	1874.	1875.	1877.
Mr. Urie, Recording Officer.	£ 1,100	£ 1,000	£ 1,000	£ 470	—
Mr. Dunlop, Assistant.	150	150	150	150	—
Mr. McQueen, Recording Officer.	—	—	—	110	260
Mr. Topham, Assistant.	—	—	—	—	75
	1,150	1,150	1,150	680	335

NOTE.—In addition to their duties connected with the Record of Title Office, Mr. Urie and Mr. Dunlop had also the winding up of the business of the Chamber of the late Judge Hargrave. There was not any account kept of the incidental expenses of the office. The cost of the necessary stationery and binding would probably be fully covered by £25 a year.

The office fees were fixed and approved by the Commissioners of the Treasury, on the 20th January, 1868. See Schedule sent, No. 3 (on page 157, supra).

RICHD. JAR. LAKE,
Secretary.